

NOTICE OF OFFICE OF MANAGEMENT AND BUDGET ACTION

Madeleine Clayton 06/17/2002
Departmental Forms Clearance Officer
Office of the Chief Information Officer
14th and Constitution Ave. NW.
Room 6086
Washington, DC 20230

In accordance with the Paperwork Reduction Act, OMB has taken the following action on your request for approval of the reinstatement of an information collection received on 04/17/2002.

TITLE: Highly Migratory Species Vessel Logbooks and
Cost-Earnings Data Reports

AGENCY FORM NUMBER(S): 88-191

ACTION : APPROVED WITHOUT CHANGE

OMB NO.: 0648-0371

EXPIRATION DATE: 06/30/2005

BURDEN:	RESPONSES	HOURS	COSTS(\$,000)
Previous	0	0	0
New	118,016	24,295	59
Difference	118,016	24,295	59
Program Change		24,295	59
Adjustment		0	0

TERMS OF CLEARANCE: None

OMB Authorizing Official Title

Donald R. Arbuckle Deputy Administrator, Office of
Information and Regulatory Affairs

PAPERWORK REDUCTION ACT SUBMISSION

Please read the instructions before completing this form. For additional forms or assistance in completing this form, contact your agency's Paperwork Clearance Officer. Send two copies of this form, the collection instrument to be reviewed, the supporting statement, and any additional documentation to: Office of Information and Regulatory Affairs, Office of Management and Budget, Docket Library, Room 10102, 725 17th Street NW, Washington, DC 20503.

1. Agency/Subagency originating request	2. OMB control number b. <input type="checkbox"/> None a. _____ - _____
3. Type of information collection (<i>check one</i>) a. <input type="checkbox"/> New Collection b. <input type="checkbox"/> Revision of a currently approved collection c. <input type="checkbox"/> Extension of a currently approved collection d. <input type="checkbox"/> Reinstatement, without change, of a previously approved collection for which approval has expired e. <input type="checkbox"/> Reinstatement, with change, of a previously approved collection for which approval has expired f. <input type="checkbox"/> Existing collection in use without an OMB control number For b-f, note Item A2 of Supporting Statement instructions	4. Type of review requested (<i>check one</i>) a. <input type="checkbox"/> Regular submission b. <input type="checkbox"/> Emergency - Approval requested by _____ / _____ / _____ c. <input type="checkbox"/> Delegated 5. Small entities Will this information collection have a significant economic impact on a substantial number of small entities? <input type="checkbox"/> Yes <input type="checkbox"/> No 6. Requested expiration date a. <input type="checkbox"/> Three years from approval date b. <input type="checkbox"/> Other Specify: _____ / _____
7. Title	
8. Agency form number(s) (<i>if applicable</i>)	
9. Keywords	
10. Abstract	
11. Affected public (<i>Mark primary with "P" and all others that apply with "x"</i>) a. <input type="checkbox"/> Individuals or households d. <input type="checkbox"/> Farms b. <input type="checkbox"/> Business or other for-profit e. <input type="checkbox"/> Federal Government c. <input type="checkbox"/> Not-for-profit institutions f. <input type="checkbox"/> State, Local or Tribal Government	12. Obligation to respond (<i>check one</i>) a. <input type="checkbox"/> Voluntary b. <input type="checkbox"/> Required to obtain or retain benefits c. <input type="checkbox"/> Mandatory
13. Annual recordkeeping and reporting burden a. Number of respondents _____ b. Total annual responses _____ 1. Percentage of these responses collected electronically _____ % c. Total annual hours requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____	14. Annual reporting and recordkeeping cost burden (<i>in thousands of dollars</i>) a. Total annualized capital/startup costs _____ b. Total annual costs (O&M) _____ c. Total annualized cost requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____
15. Purpose of information collection (<i>Mark primary with "P" and all others that apply with "X"</i>) a. <input type="checkbox"/> Application for benefits e. <input type="checkbox"/> Program planning or management b. <input type="checkbox"/> Program evaluation f. <input type="checkbox"/> Research c. <input type="checkbox"/> General purpose statistics g. <input type="checkbox"/> Regulatory or compliance d. <input type="checkbox"/> Audit	16. Frequency of recordkeeping or reporting (<i>check all that apply</i>) a. <input type="checkbox"/> Recordkeeping b. <input type="checkbox"/> Third party disclosure c. <input type="checkbox"/> Reporting 1. <input type="checkbox"/> On occasion 2. <input type="checkbox"/> Weekly 3. <input type="checkbox"/> Monthly 4. <input type="checkbox"/> Quarterly 5. <input type="checkbox"/> Semi-annually 6. <input type="checkbox"/> Annually 7. <input type="checkbox"/> Biennially 8. <input type="checkbox"/> Other (describe) _____
17. Statistical methods Does this information collection employ statistical methods <input type="checkbox"/> Yes <input type="checkbox"/> No	18. Agency Contact (person who can best answer questions regarding the content of this submission) Name: _____ Phone: _____

19. Certification for Paperwork Reduction Act Submissions

On behalf of this Federal Agency, I certify that the collection of information encompassed by this request complies with 5 CFR 1320.9

NOTE: The text of 5 CFR 1320.9, and the related provisions of 5 CFR 1320.8(b)(3), appear at the end of the instructions. *The certification is to be made with reference to those regulatory provisions as set forth in the instructions.*

The following is a summary of the topics, regarding the proposed collection of information, that the certification covers:

- (a) It is necessary for the proper performance of agency functions;
- (b) It avoids unnecessary duplication;
- (c) It reduces burden on small entities;
- (d) It used plain, coherent, and unambiguous terminology that is understandable to respondents;
- (e) Its implementation will be consistent and compatible with current reporting and recordkeeping practices;
- (f) It indicates the retention period for recordkeeping requirements;
- (g) It informs respondents of the information called for under 5 CFR 1320.8(b)(3):
 - (i) Why the information is being collected;
 - (ii) Use of information;
 - (iii) Burden estimate;
 - (iv) Nature of response (voluntary, required for a benefit, mandatory);
 - (v) Nature and extent of confidentiality; and
 - (vi) Need to display currently valid OMB control number;
- (h) It was developed by an office that has planned and allocated resources for the efficient and effective management and use of the information to be collected (see note in Item 19 of instructions);
- (i) It uses effective and efficient statistical survey methodology; and
- (j) It makes appropriate use of information technology.

If you are unable to certify compliance with any of the provisions, identify the item below and explain the reason in Item 18 of the Supporting Statement.

Signature of Senior Official or designee

Date

Agency Certification (signature of Assistant Administrator, Deputy Assistant Administrator, Line Office Chief Information Officer, head of MB staff for L.O.s, or of the Director of a Program or StaffOffice)	
Signature	Date
Signature of NOAA Clearance Officer	
Signature	Date

**SUPPORTING STATEMENT
HIGHLY MIGRATORY SPECIES VESSEL LOGBOOKS
AND COST-EARNINGS DATA REPORTS
OMB CONTROL NUMBER 0648-0371
Reinstatement and Revision to Collection**

Section A. Justification

This statement is submitted in support of a reinstatement and a revision of an information collection subject to the Paperwork Reduction Act that has been previously approved by the Office of Management and Budget (OMB). This reinstatement would continue the successful Highly Migratory Species (HMS) Vessel Logbook program. The revision would: 1) make the collection of economic data on the Trip Summary Form of the Atlantic HMS Vessel Logbook mandatory for selected vessels, 2) add an annual expenditures form to alleviate the burden of reporting certain expenditures on a per-trip basis, 3) increase the number of charter/headboat respondents based on recent information, 4) revise the proportion of shark and swordfish permit holders based on recent information, and 5) increase the burden estimate associated with the cost-earnings and logbook forms. The legislative authority to collect data from the various sectors of the economy that harvest marine resources in the exclusive economic zone is the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) and the Atlantic Tunas Convention Act (ATCA). Under this dual authority, the Secretary of Commerce has promulgated rules that require specific types of record keeping and data submissions.

1. Explain the circumstances that make the collection of information necessary.

Logbook forms

The National Marine Fisheries Service (NMFS) proposes to reinstate the information collection requirements of the Atlantic HMS Vessel Logbook program. This program is necessary to allow NMFS to manage Atlantic HMS consistent with legal mandates in the Magnuson-Stevens Act, ATCA, National Environmental Policy Act (NEPA), and others. Without the information collected through this mandatory logbook program, NMFS will not have the information needed to conduct stock assessments, monitor quotas, or prevent overfishing. Based on recent information regarding the number of permit holders, NMFS is increasing the estimated number of respondents for the charter/headboat (from 1,000 to 3,300) fisheries and is modifying the estimated proportion of shark and swordfish respondents from 470 shark permit holders to 320 and 270 swordfish permit holders to 420. The total estimated number of shark and swordfish respondents is unchanged at 740. This information collection would require vessel logbooks for 10 percent of all tuna permit holders and 100 percent for all shark, swordfish, and charter/headboat permit holders.

In 1999, NMFS issued a Fishery Management Plan for Atlantic swordfish, sharks and tunas (HMS FMP), an amendment to the FMP for Atlantic Billfish (Billfish FMP Amendment), and re-issued HMS regulations in a consolidated form at 50 CFR part 635. In implementing the HMS FMP and the Billfish FMP Amendment, NMFS undertook a comprehensive approach to data collection for all HMS fisheries and made logbook programs existing at that time mandatory for all HMS permit holders if selected. While this was already true for shark and swordfish vessels and tuna vessels that took swordfish and sharks, it was not true for tuna vessels that used gear types other than longline (e.g., rod and reel, harpoon, purse seine) or for charter/headboats. To improve data collection on fishing effort and catch in the tuna fisheries, NMFS selected ten percent of all permitted tuna vessels for the logbook reporting program including a portion from all gear categories. Additionally, all charter/headboat vessels fishing for HMS were selected for the logbook program. NMFS proposes to maintain these selection rates and have provided new estimates of burden hours based on new information regarding the number of permit holders. However, any selected tuna vessels or HMS charter/headboats already reporting through the Northeast Regional Office Multispecies logbook (0648-0212) or other Southeast Regional Office logbooks (0648-0016) could continue to use those logbooks to meet the HMS requirement.

Under the HMS FMP, selected vessel operators are required to complete logbook forms within 24 hours of a set and submit the forms no later than the seventh day after the sale of the off-loaded catch from a trip. Selected vessels include all shark, swordfish, charter/headboats, and approximately 10 percent of all tuna vessels. The forms submitted consist of a fishing report (catch, discards, effort and fishing area data), or a no-fishing report if no fishing took place during the monthly reporting period. The 24 hour requirement should result in more timely and accurate reporting of catch and bycatch in HMS fisheries. It should also facilitate enforcement of catch restrictions both at sea and at the dock.

The U.S. fishery sectors that fish directly/indirectly for Atlantic tuna, shark, swordfish, and billfish that are impacted by the HMS FMP record keeping requirements are as follows:

- For-hire Charter boats
- For-hire Headboats
- Longline Vessels
- Private/Recreational Angling Vessels
- Commercial Handgear Vessels
- Purse Seine Vessels
- Harpoon Vessels
- Gillnet Vessels
- Vessels using other gear

The logbook package (Attachment 1) is distributed to all selected vessels and includes an instruction sheet, no-fishing reports, trip summary forms and costs-earnings forms (combined, see below), annual expenditure form, and pre-address postage paid envelopes. Copies of tally sheets from dealers are required for all trips from which fish are sold. The logbook collects the following information: name and address of owner; vessel name and permit number; fishing

location; gear; measures of effort; and number and disposition of catch (discarded-dead, alive, tagged, or kept) for each HMS caught. Information on the number and size is used to assess total and average weight of the target species being harvested. The effort expended allows estimation of Catch Per Unit Effort (CPUE), a crucial component of scientific stock assessments. Additionally, information on discards is needed to account for total mortality and to evaluate bycatch reduction efforts required under the Magnuson-Stevens Act.

There are several forms used to report HMS catch and effort data (Attachment 1). A set form is provided for the fishermen to record (and submit) the catch and effort information for daily trips or, as applicable, for sets (deployment and retrieval of gear as for nets, longlines). To provide the information on the entire trip, fishermen are provided a trip summary form (combined with cost-earnings form). This form eliminates the need to record certain information that is redundant for every set or day of the fishing trip, e.g., the start and ending dates for the trip, the unloading site, etc.

The HMS reporting regulations also require fishermen to include a copy of the unloading weigh-out receipt (i.e., tally sheet) for each trip where fish are sold. This receipt is provided by the seafood dealer as a normal business practice and does not constitute any additional reporting burden. However, because each species is weighed individually and the individual weights are listed on the tally sheet, these data provide the size frequency data that are a fundamental part of a stock assessment for these species. If the tally sheets were not provided, NMFS would have to use a very costly on-site sampling program to collect the same size frequency data.

A brief description of the logbook program as applied to each of the above fisheries follows.

For-Hire Charter Boats (All HMS)

This logbook program supplements data that are collected in the NMFS Marine Recreational Fisheries Statistics Survey (MRFSS), the Large Pelagic Survey (LPS), the Automated Catch Reporting System (ACRS), and the commercial landing cards for Atlantic bluefin tuna. Each of these programs is discussed in detail below.

The MRFSS is a survey designed to provide regional and state-wide estimates of recreational catch for the entire spectrum of marine fish species in the Atlantic. It was not designed to account for the unique characteristics of HMS recreational fisheries, although information on these species is frequently obtained by the survey. The MRFSS combines dockside intercept surveys with a random-dial telephone survey, restricted to coastal counties from Maine through Louisiana. The MRFSS does not cover the State of Texas and nor does it cover the headboat fisheries from Virginia through Louisiana. Therefore, complete data about the headboat sector of the fishery are not collected under the MRFSS.

The ACRS collects data on total landings of recreationally-caught bluefin tuna (i.e., not sold). In 1997, NMFS instituted mandatory catch reporting system to supplement monitoring of the recreational fishery for bluefin tuna. Although this call-in requirement is an integral part of the

recreational monitoring system, it has not replaced traditional survey methods for data collection in the recreational fishery.

Important distinctions between the MRFSS, LPS, and ACRS data collection activities and the charter boat logbook program are that the data are collected from different people for each individual program, and the data are collected over different time frames. Dock samplers, under contract to NMFS for the MRFSS, intercept anglers as they have completed their charter boat fishing trips, and collect catch information from those anglers. Conversely the LPS samplers interview vessel captains or crew for the total catch data. The ACRS collects only recreational bluefin tuna landing data, not incorporating catch, effort, or other HMS data.

In many fisheries, CPUE measures provide an important indication of stock size. Because charter vessels participate extensively in HMS fisheries, it is critical that effort and CPUE data be provided in order for a comprehensive stock assessment to be prepared. It should also be noted that CPUE data for this sector of the fishery has provided time series data to calculate an index of abundance for several HMS, and has been an integral part of the annual stock assessments for these species. Due to concern about respondent burden, the aforementioned survey techniques do not collect all data elements that might help to standardize effort and CPUE indices, yet they are the sole source of information at this time. Logbooks provide a more comprehensive data set.

The charter logbook collects information similar to that currently collected from the billfish tournament reporting form and the pelagic logbook used for commercial gear. All collected information is kept confidential. Vessels are required to complete the HMS logbook if their vessel is selected and they are notified in writing; NMFS selects all HMS longline and charter/headboat permitted vessels and 10 percent of tuna permitted vessels. NMFS is evaluating the use of logbook data from charter boats, rather than survey data, for use in stock assessments.

For-Hire Headboats (All HMS)

Headboat fishing is considered recreational fishing, and like the charter boat sector, the logbook program collects effort and CPUE data from this small and specialized sector of the recreational fishing industry. However, a charter/headboat permit issued is considered a commercial permit for the purposes of Atlantic tunas because the owner/operator is allowed to sell any tuna caught, subject to catch regulations. In the Southeast, unlike the charter boat sector, sampling from headboat trips are not included in the MRFSS, however, it is included in the LPS and ACRS. Total catch and effort for all HMS headboat fishing activities are collected from the headboat logbook program. The need for good quality, representative CPUE and species composition data from this sector of the recreational fishery is the primary reason that this logbook program was implemented. The headboat logbook collects information similar to that of the charter logbooks which are described above.

Longline Vessels (Tuna, shark, swordfish)

The objective of the logbook program for this fishery is to provide detailed, comprehensive data on catches, discards, effort and fishing location from fishermen that catch HMS, either as the primary (i.e., target) species or as secondary or incidental catch. The data collected is an integral part of the annual stock assessment for HMS. Because the variability in the amount of catches between longline sets is significant, scientists need the data recorded for individual sets. This includes vessels in the shark and swordfish fisheries along with the Atlantic tunas incidental fishery. All permit holders are selected; NMFS provides all materials necessary for reporting.

Private/Recreational Vessels (Tuna only)

NMFS currently conducts statistical surveys of portions of the recreational fisheries. The primary survey vehicles of the recreational sector conducted by NMFS are the MRFSS and LPS. In addition, census data on landings of bluefin tuna are obtained through the ACRS (see charter vessel discussion). The MRFSS is designed to provide estimates of recreational catch for the entire spectrum of marine fish species in the Atlantic ranging from Maine through Louisiana. It was not designed to account for the unique characteristics of HMS recreational fisheries, although information on these species is frequently obtained by the survey. The LPS was originally designed to estimate the annual recreational catches of bluefin tuna from Virginia through New England, and the LPS collects catch information on other HMS at certain times and in certain areas. The purpose of the logbook is to provide detailed, comprehensive data on catches, landings, discards, effort and fishing location from fishermen that target HMS. Ten percent of current recreational tuna permit holders will be chosen at random to complete the logbook for one season. Those chosen are notified by NMFS prior to the season opening. NMFS also provides all materials necessary for reporting. The logbook supplements and enhances these surveys to provide more detail than currently collected through the surveys.

Commercial Handgear Vessels (Tuna, shark, swordfish)

The objective of the logbook program for this fishery is to provide detailed, comprehensive data on catches, effort and fishing location from fishermen that catch HMS as the primary (i.e., target) species. (Note, harpoon and hook and line fishermen complete one log report per trip, which is usually a day in duration). All permit holders are selected; NMFS provides all materials necessary for reporting.

Purse Seine Vessels (Tuna only)

The objective of the logbook program for the Purse seine fishery is to provide detailed, comprehensive data on catches, discards, effort and fishing location from fishermen that catch HMS as a target species. This data will supplement and enhance the data currently collected through dealer landing reports. The ACRS, LPS, MRFSS do not apply to purse seine vessels.

Harpoon Vessels (Tuna, shark, swordfish)

This program enables NMFS to more accurately monitor the Harpoon fishery by collecting information pertaining to the species targeted and effort expended which may allow an estimation of CPUE. Information from Harpoon category vessels are not currently used for CPUE, particularly due to the lack of data on several important factors that affect fishing success. Detailed logbook information enhances NMFS' ability to create a CPUE index by enabling standardization of effort.

Gillnet Vessels (Shark)

The objective of the logbook program for this fishery is to provide detailed, comprehensive data on catches, discards, effort and fishing location from fishermen that catch shark, as the primary (i.e., target) species. The data collected is an integral part of the annual stock assessment for HMS because the variability in the amount of catches between drift gillnet sets is significant, scientists need the data recorded for individual sets. This collection affects vessels in the directed shark fishery.

Indications from several stock assessments are that many shark species are being overfished. CPUE and good data on total effort will greatly assist NMFS to further manage these stocks. Logbook data also provide better data on the catches of individual species of sharks. Prior to the implementation of the logbook program, landings (purchases) data that were reported by seafood dealers were the only data available on the quantity of sharks that were being harvested. Landings data are usually reported by generic categories, i.e., sharks, and not by individual species. Thus, logbooks are providing better data on species composition.

Cost-earnings form

NMFS proposes to change the information collection requirements of the HMS Vessel Logbook such that the economic portion of the Trip Summary Form, which is currently voluntary, would be mandatory for selected vessels. If selected, owners and operators of vessels with federal permits for highly migratory species (tunas, swordfish, and sharks) must maintain and submit a trip expense and earnings report within 30 days of completing the fishing trip. The information on the cost-earnings form includes the price and amount of fuel, bait, lightsticks, ice, and groceries used per trip, the total cost of the trip, the number of crew, the shares the owner, captain, and crew obtained from the trip, and for charter/headboats only, the number of passengers, the total fare receipts, and total costs for consumer goods and concession goods. NMFS also proposes, in response to comments, to add an Annual Expenditures Form, which would be mandatory for selected vessels.

Mandatory submission of the economic data is needed to accurately assess the economic impacts of proposed fishery management regulations on fishermen and their communities as required by NEPA, Executive Order 12866, the Regulatory Flexibility Act (RFA), and National Standards 7 and 8 of the Magnuson-Stevens Fishery Conservation and Management Act. When the cost-

earnings summary was initiated in 1996, there was a relatively high voluntary response rate (approximately 24 percent of all trips). However, in one year the overall response rate fell to approximately 11 percent. In 1999, the overall response rate was approximately 10 percent. Additionally, analysis of the data reveals that self-selection has resulted in an uneven data collection, with little to no information existing for some areas and a lot of information for other areas. For example, the Gulf of Mexico statistical area has had an average response rate of 27 percent from 1996 to 1999 while the Florida East Coast statistical area has an average response rate of 9 percent for the same time period. Both areas have a similar number of trips reported (3,422 and 3,125 from 1996 to 1999, respectively). Additionally, in some statistical areas, the response rate has dropped dramatically over time. For example, in the Florida East Coast statistical area, the response rate in 1996 was 17 percent. This dropped to nine percent in 1997, eight percent in 1998, and, in 1999, was only four percent. In sum, a voluntary program has resulted in a data collection that cannot be used to represent all segments of the fleet.

Mandatory collection of trip-specific cost-earnings data is preferable to aggregate annual data for most information because these vessels fish in different areas, use different fishing strategies throughout the year, and target different species during different trips (e.g., swordfish, yellowfin tuna, bigeye tuna, or a mix). This can result in significant differences in operating costs and gross receipts across trips for the same vessel. Overall, trip level economic data will improve estimates of profitability and cash-flow; necessary elements for the regulatory impact analyses required by RFA and E.O. 12866. In addition, it will improve estimates of the net benefits associated with different fishing areas, which is crucial for assessing effects of area and seasonal closures on fishermen. This economic information will allow NMFS to better achieve resource conservation goals while mitigating economic impact on the fishermen, the vessel services sector, and dependent communities.

Additional impetus for mandatory economic data collection has resulted from the Small Business Regulatory Enforcement and Fairness Act of 1996, which amended the RFA to make compliance with the analytical requirements subject to judicial review, and the subsequent revision of NMFS' guidelines for economic analysis of fishery management actions, which focuses on the profitability of firms over both the short- and long-term. In several recent lawsuits regarding NMFS' fisheries regulations by fishermen, plaintiffs have challenged the economic analysis in the Initial and Final Regulatory Flexibility Analyses performed during the proposed and final rule stages. In a few cases, the economic analyses were remanded to the agency for additional considerations. Analyses that can fully withstand legal challenges can only be performed with representative firm level economic data.

For some data, it is not necessary to collect information on a per-trip basis. Fishermen indicated they would fail to provide some information because it is simply not available on a per-trip basis. Thus, the Annual Expenditures Form includes information such as the cost of repairs and maintenance, all fishing supplies, insurance, purchase of capital, boat dockage, loan payments, and business taxes. This information will be removed from the trip summary form and will be included on an Annual Expenditures Form (Attachment 1).

NMFS proposes to increase the burden estimate for the cost-earnings form by 20 additional minutes to a total of 30 minutes. Additionally, in response to comments and additional analyses of the voluntary information, NMFS proposes to reduce the selection rate of permit holders for the cost-earnings form from 100 percent to 20 percent.

As the cost-earnings form has already been distributed to permit holders as part of the trip summary form, fishermen selected to complete the cost-earnings form will continue to use the one previously approved under the voluntary program until new forms are printed and distributed. The Annual Expenditures Form and instructions regarding the 30 day delay for the cost-earnings form will be distributed with selection letters once the program is approved.

2. Explain how, by whom, how frequently, and for what purpose the information will be used.

The information requested on logbooks will be used by various offices of NMFS, Regional Fishery Management Council staff, the U.S. Coast Guard and state fishery agencies under contract to NMFS to develop, implement and monitor fishery management strategies. Analyses and summarizations of logbook and cost-earnings data are used by NMFS, the Regional Councils, the Departments of State and Commerce, OMB, the fishing industry, Congressional staff and the public, to answer questions about the nature of our fisheries resources. Information on endangered species or marine mammals and their incidental take is requested from those fisheries where such interaction are likely to occur. These data will help NMFS meet its requirements under the Marine Mammal Protection Act and the Endangered Species Act. If reports of such occurrences are common, NMFS can proceed to minimize the harvest of such species through the promulgation of regulations.

The data will serve as input for a variety of analyses, such as: biological opinions and stock assessments; E.O. 12866 regulatory impact analyses; quota and allocation selections and monitoring; economic profitability profiles; trade and import tariff decisions; and identification of ecological interactions among species.

The logbook evolved as a means of collecting data from specific user groups within fisheries that are managed under Federally implemented FMPs. For HMS, the Southeast Fisheries Science Center (SEFSC) has the responsibility for both preparation of stock assessments (estimation of maximum sustainable yield and/or other indexes of biomass) and collection of the scientific data that are required to perform the assessments. A secondary data collection responsibility is to provide information for HMS that is necessary to routinely monitor and evaluate the conditions in the fisheries under Federal management.

Similar data elements are required for most of the logbooks, although a few variables may be specific to one fishery or type of management technique controlling harvest.

a) Information such as name, signature, and address of operator and owner are used to identify the respondent and the legal entity controlling the fishing practices of the vessel. This latter

requirement is essential in monitoring the compliance of the reporting requirement, where revocation of the operators permit or fines are involved. Because many vessels are owned by corporations, identification of owner and operator on the logbook form allows NMFS to sanction the company as well as the individual vessel operator as necessary or required by the regulations. Information on the permit is obviously essential to monitoring reporting compliance.

b) Data on date of departure, date returned, days fished, duration of tows or sets, units of gear and mesh size used are all designed to quantify actual fishing effort. Fishing effort is needed to standardize differences in productivity among vessels or fishing grounds by establishing a rate catch per unit time. These data allow comparisons over time, area and gear type of catches made by a variety of harvesters. Comparisons of catch and CPUE over time are significant indicators of the biological status of the fisheries. Declining CPUE, especially if data on fishing effort are sufficiently detailed to adjust for changes in effort, can provide critical information on the status of the stock, i.e., that the level of harvest is beyond the level that is sustainable by growth and reproduction of the stock.

c) Area fished, loran bearing, depth of fishing, latitude and longitude are variables that are used to establish fishing locations. This information is related to other oceanographic and biological information to predict species availability and likely future abundance. For example, location of capture can be correlated to sea surface temperature measured by satellite to predict possible migration patterns. In addition, area or zone fished is used to cross reference locations where fishing is not permissible (such as closed spawning areas).

d) Species information such as landings, discards and sizes of fish is the basic measure of fishing success, from which fishermen, biologists and economists infer conclusions about the status of the fishery. Landings information is also needed because controlling the quantity of fish harvested is often the means for ensuring that harvests can be replenished over time.

e) Name of buyer, dealer number and port of landing are data used to cross reference the quantity of fish caught with the quantity that is handled (processed) by the market. The important cross reference is between the total amount of catch, and the respective sizes of individual fish. It would be impossible for fishermen to measure individual fish as they are being caught and stored on board the vessels. However, many species of fish, especially the large pelagics, are individually weighed by the dealers and these weights are recorded as part of the sales transactions. By knowing the dealer that purchased the fish, cross references can be made between data submitted by the dealers and the data from the logbooks. Combining the data in this manner provides greater precision on the CPUE estimates and more information on the sizes of catches by location and time.

f) Cost-earnings information has been and will continue to be used by various NMFS' economists, Regional Fishery Management Council staff, and state fishery agencies under contract to NMFS to develop, implement, and monitor fishery management strategies. These data will be used to assess community impacts, conduct cost-benefit analyses, and, in particular, develop regulatory impact analyses of proposed regulations as required by the RFA and

suggested in NMFS' guidelines for economic analyses. Note that under the RFA definition, all fishing operations in HMS fisheries are defined as small entities.

Contrary to fishermen's beliefs, the voluntary cost-earnings data has already been analyzed by economists and used in the rulemaking process. Below is a list of reports that have been generated using the 1996 cost-earnings data:

Griffin, W. R. Analysis of a Short-Run Production Function for Highly Migratory Species (HMS).

Larkin, S. L., C. M. Adams, and D. J. Lee. Assessing Heterogeneity in the US Atlantic Pelagic Longline Fleet Using 1996 Logbook Data. In review - Marine Fisheries Review.

Larkin, S. L., C. M. Adams, D. J. Lee. 2000. Reported trip costs, gross revenues, and net returns for U.S. Atlantic pelagic longline vessels. Marine Fisheries Review 62(2): 49-60.

Larkin, S. L., D. J. Lee, and C. M. Adams. 1998. Costs, Earnings, and Returns to the US Atlantic Pelagic Longline Fleet in 1996. Staff Paper 98-9, Food and Resource Economics Dept., IFAS, University of Florida Gainesville. 44 pp.

Larkin, S. L., D. J. Lee, and C. M. Adams. 1998. Improved Management of the US North Atlantic Swordfish Fishery. Staff Paper 98-7. Food and Resource Economics Dept., IFAS, University of Florida Gainesville. 26 pp.

Larkin, S. L., D. J. Lee, L. Perruso, C.M. Adams. 2001. Estimation of Input Demand Relationships of the U.S. Atlantic Pelagic Longline Fleet. Draft Copy. Food and Resource Economics Dept., IFAS, University of Florida Gainesville. 30 pp.

Larkin, S. L., L. A. Perruso, D. J. Lee, C. M. Adams. *In press*. An empirical investigation of the U.S. Atlantic pelagic longline fleet: Specification and estimation of a multi-species profit function with suggestions for missing data problems. Presented at North American Association of Fisheries Economists 1st Annual Meeting, April 2001. Revised October 2001 for proceedings.

Lee, D. J., S. L. Larkin, and C. M. Adams. 1998. A Bioeconomic Analysis of Proposed Regulations in the US North Atlantic Swordfish Fishery. Staff Paper 98-10, Food and Resource Economics Dept., IFAS, University of Florida Gainesville. 56 pp.

Strand, I.E. and J. Mistiean. An Analysis of Longline Vessel Movement in the Atlantic, Gulf of Mexico, and the Caribbean Sea. *In*: 1999 Annual Report for JIMAR Project 2116: Economic Interactions between U.S. Longline Fisheries. Pelagic Fisheries Research Program, JIMAR, University of Hawaii at Manoa, Honolulu, HI.

Strand I.E. and J. Mistiean. Productivity Analysis of Atlantic Longline Vessels. *In:* Productivity Analysis, Office of Science and Technology, NMFS, Silver Spring, MD.

Ward, J. and E. Hanson. 1999. The Regulatory Flexibility Act and HMS Data Needs. Presentation at the American Fisheries Society Meeting, Charlotte, NC, August 29-September 2, 1999.

Only one report has used the 1997 data, although, because of potential problems with the 1997 data due to the reduced response rate, that report relied more heavily on answers to an independent survey than on the cost-earnings data.

Porter, R. M., M. Wendt, M. D. Travis, I. Strand. 2001. Cost-earnings study of the Atlantic-based U.S. pelagic longline fleet. Pelagic Fisheries Research Program. SOEST 01-02; JIMAR contribution 01-337. 102 p.

The 1998 and 1999 data have not yet been used in economic analyses due to the need to address statistical problems associated with the low and potentially biased response rate for the voluntary collection.

The data elements collected on the cost-earnings trip summary form include variable trip costs (fuel, bait, ice, light sticks, groceries, etc.), total shared costs and total costs. The specific form and instructions to be used are attached (Attachment 1).

The data elements collected on the Annual Expenditures Form include fishing gear, repair and maintenance expenses, insurance, dockage, etc. The specific form and instructions to be used are attached (Attachment 1).

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological techniques or other forms of information technology.

No improved information technology has been identified as a practical means for reducing the burden on the public. In the future, NMFS hopes to evaluate the use of electronic logbooks linked to vessel monitoring systems (VMS). At the moment, NMFS is waiting for a court-ruling before requiring VMS on vessels in HMS fisheries. Since the cost-earnings forms are a relatively small part of a larger data submission, there will be no change/improvement in the reporting process at this time.

4. Describe efforts to identify duplication.

The Magnuson-Stevens Act's operational guidelines require each FMP and regulatory amendment to evaluate existing state and federal laws that govern the fisheries in question, and the findings are made part of each FMP or regulatory amendment. Each Fishery Management Council membership is comprised of state and federal officials responsible for resource

management in their area. These evaluations enable NMFS to identify other collections that may be gathering the same or similar information. In addition, each FMP undergoes extensive public comment periods where potential applicants review the proposed information collection requirements. Therefore, NMFS is aware of all similar collections.

Detailed information on CPUE, effort and species composition by gear and area may be available from other sources. Some states have logbook programs to collect similar information as required in the Federal HMS logbook. Anyone filling out state logbooks with similar data fields would not be required to complete and submit a Federal logbook under this collection. The state logbook would suffice in lieu of the Federal, although a copy of the state logbook would need to be submitted to NMFS.

Likewise, selected respondents who indicate that they are participating in other Federal logbook programs under other FMPs, would be exempt from the requirements of this collection provided copies of the other logbook are submitted on a timely basis.

Some owners of tuna vessels selected for logbook coverage may participate in the bluefin tuna fishery. Bluefin tuna landings must be reported through the automated catch reporting system approved under 0648-0328, thus there would be some duplication. However, the ACRS report is limited to harvest of bluefin tuna while the logbook would collect information on fishing effort and catch of all species. Therefore, the level of duplication would be extremely small and is warranted due to the need to collect real-time harvest information for bluefin tuna.

Trip expense data is not being collected by another state or federal office for any gear group included in the HMS fishery. To the extent that vessels with HMS permits are reporting via other federal fisheries logbooks (e.g., NE Multispecies 0648-0212) and cost-earnings information is collected, vessel operators will be relieved of the duplicative requirements.

The Atlantic Coastal Cooperative Statistics Program (ACCSP) is conducting a pilot program that will collect economic information from randomly selected commercial fishermen who have volunteered to be part of the study. This pilot study will collect fixed and variable cost information for fishing businesses. In 2002, this pilot study will focus on fishermen in the blue crab fishery and fishermen in the northeast. More information about the ACCSP can be found at <http://www.accsp.org>. This program currently does not focus on HMS fishermen, does not collect information on a per trip basis, and is done voluntarily. As described above, voluntarily given information is not adequate to conduct the analyses required under NEPA, E.O. 12866, or RFA.

5. If the collection of information involves small businesses or other small entities, describe the methods used to minimize burden.

As indicated in the prior submission for this collection, because all applicants are considered small businesses, separate requirements based on size of business will not be developed.

6. Describe the consequences to the Federal program or policy activities if the collection is not conducted or is conducted less frequently.

The consequence of not having information on level of effort, gear type used, number and species of fish kept, number and species of fish discarded is to increase the uncertainty involved in managing HMS fisheries.

The consequence of not having a core set of economic data at the trip level is to increase the uncertainty associated with how fishermen will respond behaviorally to changes in regulations, fishing conditions and/or market conditions. Moreover, without this information it is impossible to assess the economic impacts from a proposed regulation or to select the policy alternative that achieves a management goal at the lowest possible cost to the fisherman. To accurately capture fisherman behavior and assess economic impacts it is necessary to have economic information at the trip level since fishing operations, choice of fishing grounds, gear modifications and targeting and marketing strategies, change over the course of the season due to changes in species abundance across fishing sites and market demand across seasons and regions. This is especially true for the HMS fisheries in which individual vessel activity may range throughout the Gulf of Mexico, Caribbean Sea, and off the Atlantic coast of Southeast, Mid-Atlantic and New England states.

Another consequence of not having representative trip-level economic data could be judicial remand of conservation regulations challenged on grounds of inadequate analysis of economic impact to individual firms.

7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.

The reporting regulations require selected vessels to complete logbooks within 24 hours of making a set (or a trip for single day trips) and to submit all forms, except the cost-earnings form, no later than the seventh day after the sale of the catch off-loaded from a trip. It is critical that these data be timely. For fisheries that are significantly overfished and therefore subject to catch quotas, it is important to monitor fishing mortality. Also, the re-issuance of permits are predicated on compliance with the reporting requirements, and timely data are needed to determine whether fishermen are complying on a regular basis. Quality control of the logbook data is improved when the review and verification process is as close as possible to the actual time that fishing occurred.

The frequency of collection requirements for the cost-earnings form are the same under mandatory submission of the form as is under the voluntary submission. It is necessary to collect this information more often than quarterly because trip-specific information is required and recall bias is a concern if the information is recorded long after the trip. The information requested is readily available at the end of each trip after the vessel is offloaded and settlement with the fish dealer is completed. Thus, selected fishermen will be required to submit the cost-earnings form 30 days after the catch is off-loaded from a trip. For information that is not

readily available at the end of each trip, fishermen will be asked to submit an Annual Expenditures Form.

8. Provide a copy of the PRA Federal Register notice that solicited public comments on the information collection prior to this submission. Summarize the public comments received in response to that notice and describe the actions taken by the agency in response to those comments. Describe the efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

See attached Federal Register Notice (Attachment 4). NMFS additionally transmitted a request for comments to several hundred vessel operators and industry contacts on the HMS Fax Network. In general, the comments received in response to the proposed mandatory collection of economic data were not positive but often reflected misconceptions regarding the need for and use of the data as well as the implementation process. A brief summary of comments and responses follows:

Comment 1: Several longline owners were concerned that this information collection applied only to longliners.

Response: The information collection applies to all permitted HMS fishermen; bottom and pelagic longline fishermen, tuna purse seine fishermen, swordfish and tuna commercial handgear fishermen, shark gillnet fishermen, and all HMS Charter/Headboat fishermen.

Comment 2: The fishermen suggest that the information requested is duplicative. One fisherman notes that the Southeast is conducting a cost-earnings study that asks the same information while a second fisherman indicates that since they must submit their tax forms to the NMFS Southeast Regional Office, this should provide adequate information on their operating costs and earnings.

Response: In response to the Southeast cost-earnings study, the cost-earnings survey the fisherman may be referring to is part of a project that was funded on a one-time basis by the Joint Institute of Marine and Atmospheric Research (JIMAR), Honolulu, HI. The survey primarily collected information on 1997 vessel operations, vessel characteristics and demographic information for 100 vessels participating in the HMS fishery in 1997. In contrast to the proposed information collection, which would provide information on a per-trip basis, the JIMAR survey collected average trip cost information. Though useful for providing a “snapshot” of the industry, average trip cost information can be problematic because it is difficult to compare data and evaluate trends over time.

In terms of providing duplicative information for 2000 vessel operations, it should be noted that the fielding of this survey ended in July 1999 and there are no funds or plans for implementing this survey again to collect more recent information. By 2003, when the first year of economic

information would be available for analysis from the proposed collection, the cost information collected from the JIMAR survey will be six years old.

As described above, the ACCSP is also conducting a pilot study that collect economic information. The fisherman could be referring to this pilot study. However, at this time the information being collected does not focus on HMS fishermen, does not collect information on a per trip basis, and is done voluntarily. Thus, this pilot study would only be duplicative with the proposed cost-earning information collection if the fisherman participates in other fisheries that are being studies and volunteers to be part of that study.

In terms of the tax returns, fishermen are not required to submit tax returns to NMFS. However, some fisheries such as the Gulf of Mexico reef fish fishery, the commercial spiny lobster fishery, or the King and Spanish Mackerel fisheries, require fishermen to show that they meet an earned income requirement. HMS fishermen only need to meet this requirement if they participate in non-HMS fisheries. Few HMS fishermen participate in these non-HMS fisheries and therefore, few HMS fishermen would submit this type of information. For example, of the current swordfish permit holders, only approximately 18 percent also have a reef fish or a spiny lobster permit.

In fisheries where there is an earned income requirement, fishermen can submit a variety of forms to show they meet the requirement. The easiest form to submit may be portions of their tax returns. However, the portions of the tax return that could be submitted merely show a source of earned income, not necessarily information about specific categories of expenditures that are contained on the proposed annual expenditure form such as dockage, purchases of fishing-related capital, and fisheries permits fees. As previously stated, the problem with looking at annual figures is that it provides no information on how costs were distributed across time, as the fishermen changed fishing practices, fishing grounds and, potentially, fishery. Therefore, it is difficult to assess with any degree of confidence the economic impact from a proposed regulation, using annual data alone. Furthermore, because the earned income requirement is not evenly distributed throughout the range of HMS fisheries, the information collected would be not be consistent across all sectors and areas of HMS fisheries.

Comment 3: Information collected will be used against longliners and, moreover, there is no role for individual vessel economic data in fisheries management. NMFS should focus on their goal of managing the resource and leave the financial management of individual businesses to vessel owners and operators. NMFS only considers whether or not the industry can afford to catch fewer fish in the name of conservation.

Response: Establishing baseline information on the net benefits fishermen receive from fishing will help NMFS achieve management objectives at the lowest cost to fishermen. Without information on the costs of fishing operations, NMFS cannot determine the economic impact from proposed regulations or how to minimize, to the extent practicable, those impacts. Furthermore, fishermen, when commenting on proposed regulations, rarely, if ever, provide to NMFS quantitative information regarding expected impacts of proposed measures. NMFS will

not use the information given to manage individual businesses or to offer financial advice to fishermen.

Comment 4: Fishermen already spend too much time completing forms and the estimated time to respond to the cost-earnings form is unrealistic. The vessel operator may know information regarding the amount of fuel, bait, ice, etc., but does not have information regarding the value of fuel, bait, ice, repairs, labor costs, etc. Trip settlement between a vessel owner and fish dealer usually takes between 7 and 30 days; fishermen cannot complete the questions on the form within the seven-day window from date of offloading for submitting forms because they do not have earnings information..

Response: In response to comments made by fishermen, the form has been streamlined such that earnings information on crew share and broker fees can be provided by percentages versus actual payments. NMFS considers that 10 minutes is a minimum estimate because most fleet managers/owners have already made these estimates and 10 minutes is sufficient for reassembling that information onto the form. However, in response to this comment and to accommodate those fleet managers/owners who do not keep this data organized for their own benefit, NMFS changes the burden estimate for the cost-earnings information to be 30 minutes per reply. NMFS also estimates that the burden for filling out the annual expenditure form to be 30 minutes. In response to the comment that vessel owners, in coordination with vessel operators, have the information needed to complete the cost-earnings form and that trip information is not complete for up to 30 days after offloading, NMFS will allow fishermen and/or vessel owners 30 days after offloading is complete to send to NMFS the cost-earning portion of the form. This should allow time for the vessel operator to fill in part of the form and the vessel owner to complete the rest of the form with information from the trip settlement. Also, in response to the comment that fishermen already spend too much time completing forms, NMFS has reduced the selection of shark, swordfish, and charter/headboat fishermen needed to complete the cost-earnings form and annual expenditure form from 100 percent to 20 percent. This should alleviate some of the burden for individual fishermen from year to year while allowing NMFS to collect information needed to comply with statutory requirements.

Comment 5: Fishermen are concerned about confidentiality and consider mandatory economic reporting requirement intrusive and violates fishermen's right to privacy under Federal and state laws.

Response: The collected information will be used by various NMFS economists, Regional Fishery Management Councils' staff, and state fishery agencies under contract to NMFS to develop, implement and monitor fishery management strategies. All data submitted will be treated confidentially in accordance with NOAA Administrative Order 216-100. Although NMFS appreciates that the fishermen find this information collection intrusive, it is necessary for determining economic impacts from proposed regulations that are currently required by law. Note that NMFS will only be able to select the policy that achieves a given management objective at the lowest cost to the fisherman if it has this data. Without this information, NMFS

may unknowingly put many fishermen out of business when a different management measure may achieve the same conservation benefits with fewer economic impacts.

Comment 6: A mandatory information collection of cost-earnings data serves no purpose because NMFS does not use the cost-earnings data that has been submitted voluntarily under the logbook program. NMFS does not process the dealer reports or other data that is submitted. NMFS should have a complete picture of 15 years of catches, effort, revenues, and gross prices for the longline fleet but they have never used it.

Response: See Item 2 above. In response to the claim that NMFS does not process data submitted by vessel owners or dealers, dealer data are processed as soon as they are submitted for use in in-season and post-season quota monitoring for sharks, bluefin tuna, and swordfish. Logbook data are also processed quickly but the data generally are not available in final form until all the data for the entire year has been entered and checked. However, NMFS publishes annually a pelagic logbook newsletter which is circulated to all permit holders in the fishery and which summarizes logbook data submitted by fishermen. Additionally, analyses of logbook and dealer data are submitted annually to ICCAT's Standing Committee on Research and Statistics and to the Compliance Committee. These data aid in stock assessment and evaluation of management measures. Many dealer and logbook data are summarized annually in the Stock Assessment and Fishery Evaluation for Highly Migratory Species. Dealer and logbook data are used extensively in rulemaking analyses to meet legislative mandates such as NEPA and RFA and to evaluate the impacts (environmental, social, and economic) of potential management measures on fishermen, dealers, and the environment. Bycatch data submitted by fishermen are evaluated with respect to National Standard 9. In summary, these data collections are essential to meeting domestic and international obligations.

Comment 7: The cost-earnings information will be used to limit entry to only profitable vessels.

Response: The cost-earnings information will be used to comply with legal mandates and as an aid to help NMFS determine which management measures will minimize economic impacts, to the extent practicable. Currently, the shark, swordfish, tuna longline, and tuna purse seine fisheries are under limited entry programs. The limited access program in the shark, swordfish, and tuna longline (implemented in 1999) was designed to remove latent effort in the fishery, not to limit the fishery to only profitable vessels. To the extent that NMFS determines that capacity in these or other HMS fisheries must be further reduced, NMFS will use the cost-earnings data, along with public comment, when analyzing possible alternatives.

Comment 8: NMFS should have a separate form for each gear type or fishery sector.

Response: Since many HMS fishermen participate in multiple fisheries, NMFS deemed it simpler for the majority of fishermen to have the same forms for commercial fishermen and recreational fishermen, although the trip summary form has a separate additional section for recreational fishermen (Attachment 1). While this will result in some reporting burden for those

fishermen that never use light sticks (e.g., having to record a zero each time), most items do apply to all fishermen. NMFS believes that the slight reporting burden for fishermen who do not need fill in all the areas on the form does not outweigh the gains from having a single form. To the extent possible, the form has separated questions by gear type.

Comment 9: The information requested would result in an incomplete and inaccurate depiction of the economics of this fishery. Any realistic economic study must also include the ripple effects to related suppliers and service and seafood handling branches of the fishery.

Response: NMFS is concerned about the “ripple effects” of fishery management regulations on other sectors of the fishing industry as well as fishing communities. Further, under National Standard 8, NMFS is required to examine the economic impacts of fishing on fishing communities. The primary constraint to determining these impacts is not lack of other industry data but the fishing cost data. To date, the regional NMFS offices have developed or are in the process of developing impact models for each fishery for which they have cost data from a representative sample of fishermen.

Comment 10: In order to use the information collected, NMFS would have to retain economists and sociologists to analyze the data and predict the effects of management measures.

Response: In FY00, NMFS had approximately 35 social scientists. Eleven new positions (five economists and five sociologists/anthropologists) were created in FY01, nine new positions were created in FY02, and similar increases in hirings are projected in future years.

Comment 11: Trip expenses are not a measure of the total economic picture of the company, vessel, or other ownership structures. Crew members are independent contractors; contract expenses vary from one month to the next depending on the time of year and the success of the trip.

Response: While expenses from individual trips may vary over time, collection of trip expenses over the entire year should provide NMFS with an indication of the average trip by gear type, area, and season/month. Additionally, the collection of trip expenses including labor will provide NMFS with needed information regarding variable and labor costs. Without this information, NMFS will not have an accurate view of the economics of HMS fisheries and will not be able to provide complete economic analyses as required under RFA and E.O. 12866. To the extent that some expenses are more accurately reported annually, NMFS has streamlined the cost-earnings form to include an annual expenditures form which would be submitted at the end of the year.

9. Explain any decisions to provide payments or gifts to respondents, other than remuneration of contractors or grantees.

There are no payments or other remunerations to respondents.

10. Describe any assurance of confidentiality provided to respondents and the basis for assurance in statute, regulation, or agency policy.

All data that are submitted to the NMFS will be treated in accordance with NOAA Administrative Order 216-100, Confidential Fisheries Statistics. In addition, logbook data are considered to be in an entrepreneurial capacity and will be exempt from the Privacy Act concerns. It is Agency policy not to release confidential data, other than in aggregate form, as the Magnuson-Stevens Act protects (in perpetuity) the confidentiality of those submitting data. Whenever data are requested, the Agency ensures that information identifying the pecuniary business activity of a particular vessel is not identified.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.

No questions of a sensitive nature will be asked.

12. Provide an estimate in hours of the burden of the collection of information.

Although this is a request for reinstatement, the answers for 12 through 15 will refer to the previously approved burden and costs to clarify the changes being made in the requirements and estimates from previous submissions.

Previously, 431 hours had been approved for the cost-earnings summary, based on expected compliance with a voluntary information collection, and 9,050 hours had been approved for the catch reports of the HMS Vessel Logbook, a mandatory information collection, based on the expected number of permit holders. The number of respondents of Charter/Headboat permit holders has tripled since the original submission for this collection. The current number of permitholders in this category is 3,300 (increased from 1,000). While the actual number of shark and swordfish permit holders has not changed (740 permit holders), the proportion of shark and swordfish permit holders has changed from 470 shark permit holders to 320 and from 270 swordfish permit holders to 420. All swordfish permit holders are also required to hold shark permit, however, they would only be required to complete the forms once per trip.

The estimated time to complete the cost-earnings data reports is increased to 30 minutes from the 10 minutes originally submitted and approved by OMB for the voluntary form. Comments indicated, and NMFS agrees, that for some sectors, predominantly swordfish, tuna, and shark longline fishermen, the reporting burden estimate may be as high as 30 minutes per response. In other sectors, however, the reporting burden estimate could be significantly less. In the Recreational Atlantic tunas fishery, for example, the burden is estimated at 10 minutes per trip because there is no labor information to be reported. Likewise, the estimated time to complete this form in the HMS charter/headboat fishery is estimated at 15 minutes because labor is typically salaried. However, because it is difficult to separate out those fishermen who use longlines and target tunas, swordfish, or sharks, NMFS submits a reporting burden estimate of

30 minutes for all fishermen¹. In addition, this revised cost-earnings data trip summary report has been simplified and a 30 minute estimate should be considered a maximum estimate.

The selection rates for catch and no catch reports are the same as those submitted in the supporting statement for HMS Logbooks (0648-0371). NMFS proposes to collect the cost-earnings data from a random selection of approximately 20 percent of the shark, swordfish, and charter/headboat fleet and 10 percent of the tuna permit holders who were selected to report in the catch report forms. This random selection of fishermen would be stratified across all statistical areas and would be based on information provided when renewing permits and reported the previous year in logbooks. In other words, fishermen who were not active or did not have an HMS permit in the previous year would not be selected to report on the cost-earnings and annual expenditure forms.

We also propose to collect information annually about expenditures made infrequently throughout the year or only once per year from fishermen who were selected for the cost-earnings reports. Fishermen will be required to submit the annual form by January 31 of the following calendar year so that they can use their accounting records as organized during the preparation of their income tax returns. Our estimated time of 30 minutes (0.5 hours) to complete the annual form was based on the presumption that fishermen would already have organized their expenses for end-of-year tax purposes.

The number of respondents, the estimated number of responses, the time per response and the total burden estimate for completing the additional economic questions on the trip and annual reporting forms are shown in Table 1. The estimates below are based on recently available permit holder information. The difference in estimated burden hours from those previously approved to those proposed here is outlined in Table 2.

We request an increase of 7,117 (7,548 hours - 431 hours previously approved) hours for the cost-earnings and annual expenditure burden estimate and an increase of 7,697 (16,747 hours - 9,050 hours previously approved) for the catch report portion. These increases result in a net increase of 14,814 hours and a revised total of 24,295 hours (Table 2). This time estimate reflects a more accurate estimate of time needed to fill out the form and number of permit holders. The estimated burden hours by gear group are provided below. The estimated number of trips is based upon past activity by each gear group. For the purposes of this burden estimate, it is assumed that the HMS logbook will be completed on all of the trips selected, which is a higher response rate than is likely to occur. Note that some charter/headboats have the option of completing a regional logbook in lieu of the HMS logbook to the extent their participation in these fisheries also requires a logbook submission. Additionally, some charter/headboat permit

¹Permits are issued by species, not by gear type. That is, a swordfish permit holder may be a longline fisherman, a rod and reel fisherman, or a harpoon fisherman. There is a similar situation for shark and tuna permit holders.

holders also hold a shark or swordfish permit. Thus, estimates for charter/headboat burden hours can be considered a maximum.

Table 1. Summary of reporting requirements and estimated reporting burden estimates for respondents in HMS fisheries.

Note: Shaded areas indicate new reporting burden.	Fishery				Total
	Tunas	Sharks	Swordfish	HMS Charter/Headboats	
Number of permit holders	18,800	320	420	3,300	22,840
Selection for logbooks	10%	100%	100%	100%	
# of Respondents	1,880	320	420	3,300	5,920
# of Trip Summary Reports w/Catch	18,800	3,200	8,400	49,500	79,900
	1,880 @ 10 trips/yr	320 @ 10 trips /yr	420 @ 20 trips/yr	3,300 @ 15 trips/yr	
<i>Burden hours @ 12min/ trip summary report</i>	<i>3,760</i>	<i>640</i>	<i>1,680</i>	<i>9,900</i>	<i>15,980</i>
# Reports w/o Catch	3,760	NA	NA	16,500	20,260
	1,880 @ 2 trips/yr			3,300 @ 5 trips/yr	
No-Fishing Reports	NA	1,920	840	NA	2,760
		320 @ 6 months/yr	420 @ 2 months/yr		
<i>Burden hours @2 min/no catch or no fishing report</i>	<i>125</i>	<i>64</i>	<i>28</i>	<i>550</i>	<i>767</i>
Selection for cost-earnings data trip reports and annual expenditures form	10% of those selected for logbooks	20%	20%	20%	
# of Respondents	188	64	84	660	996
# of Cost-earnings data Trip Reports	1,880	640	1,680	9,900	14,100
	188 @ 10 trips/yr	64 @ 10 trips/yr	84 @ 20 trips/yr	660 @ 15 trips/yr	
<i>Burden hours @ 30 min/cost-earnings trip report</i>	<i>940</i>	<i>320</i>	<i>840</i>	<i>4,950</i>	<i>7,050</i>

Note: Shaded areas indicate new reporting burden.	Fishery				Total
	Tunas	Sharks	Swordfish	HMS Charter/Headboats	
# of Annual Expenditures Forms	188	64	84	660	996
<i>Burden hours @ 30 min/annual expenditures form</i>	94	32	42	330	498
Total burden hours for Catch reports, including no catch or no fishing reports	3,885	704	1,708	10,450	16,747
Total burden hours for Cost-earnings and annual expenditures forms	1,034	352	882	5,280	7,548
Total for Logbook Collection	4,919	1,056	2,590	15,730	24,295

Table 2. The difference in previously approved burden estimates and current burden estimates.

	Estimated Burden Hours
Revised burden hours for cost-earnings data reports	7,548
Revised burden hours for catch report forms	16,747
Total:	24,295
Previously approved burden hours for cost-earnings data reports	431
Previously approved burden hours for catch report forms	9,050
Total:	9,481
Net Increase	14,814

13. Provide an estimate of the total annual cost burden to the respondents or record-keepers resulting from the collection.

Currently, all forms are provided to fishermen with pre-addressed postage paid envelopes. While NMFS intends to continue to provide post paid envelopes, it is possible that NMFS may discontinue paying postage in the future due to funding or other constraints. Additionally, while NMFS provides post paid envelopes, it is possible that respondents could run out of envelopes or lose the envelopes and pay for postage on their own. Thus, for the purpose of this submission it is assumed that all postage costs will be paid by the respondents. Previously, NMFS estimated that the cost of postage for all respondents would be \$29,293 (assuming an average cost of 50 cents for 58,585 reports). Due to adjustments in the number of permit holders, the change from a

voluntary to mandatory program for the cost-earnings form, and the addition of an annual expenditures form, the estimated number of reports has increased to 118,016. Assuming an average of 50 cents for postage, this results in a total estimated cost of postage of \$59,008, an increase of \$29,715.

The logbook and cost-earnings forms are bound with carbon copies so there are no photocopy costs associated with the recordkeeping requirement for those forms. As the annual expenditures form is not carbon copied, there could be a minor cost of 10 cents to copy the form. This would result in an annual cost for the annual expenditures form of \$99.60 (996 reports times \$.10). This results in a total annual cost for the entire program of \$59,108. This estimated costs should be considered a maximum cost because, as indicated above, NMFS currently provides postage paid envelopes.

14. Provide estimates of annualized cost to the Federal government.

Cost to the Federal government was previously estimated to be \$167,000 per year including printing costs, labor for sight review and data entry, form development, and program management costs. There are no incremental printing costs associated with this revision to logbook collection as all forms are provided with all logbooks regardless of the requirement to complete the cost-earnings summary. There are no incremental printing costs associated with the annual expenditure form which is two pages, including instructions. Agency costs would increase for data entry and analysis for the additional information, including approximately 20 hours a week for one GS-7 employee (~\$15.29/hour). NMFS has allocated supplemental funding for the HMS logbook program as part of an agency initiative to improve economic data collection. Total cost to the Federal government is now estimated to be \$183,000 (\$167,000 + \$16,000).

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB 83-I.

NMFS proposes a 8,558 hour adjustment and a 6,256 hour program change for a total net increase of 14,814 hours. For the logbooks, NMFS has re-estimated the number of permit holders in the fisheries (from 19,740 to 22,840). This has resulted in a 7,697 hour adjustment. For the cost-earnings form, NMFS is adjusting the number of respondents based on new estimates of the number of permit holders and a program change from a voluntary to a mandatory program. Additionally, NMFS is adjusting the estimated time to respond from 10 minutes to 30 minutes and is adding an annual expenditure form. The adjustment to the estimated time to respond to the cost-earnings form results in an 861 hour adjustment (the previous estimate of 2,584 responses times an additional 20 minutes per response). Thus, the estimated total hour adjustment is 8,558 (7,697 + 861). Using this, the estimated program change is 6,256 hours (the net increase of 14,814 minus 8,558). The change of the economic data collection program to mandatory could result in an increase of data to be keyed and processed by the NMFS' Southeast Fisheries Science Center. The increased reporting requirements will not impose a cost on respondents other than time.

Previously, NMFS estimated 56,000 reports for the logbook forms. Based on new estimates of the number of permit holders, NMFS now estimates the number of reports for logbook forms to be 102,920 for an increase of 46,920 reports. This amounts to a program adjustment for the logbook forms of \$23,460 (46,920 reports times \$0.50 for postage). Previously, NMFS estimated 2,585 cost-earnings reports. Based on new estimates of the number of permit holders, NMFS now estimates 14,100 for an increase of 11,515. This amounts to a program adjustment for the cost-earnings forms of \$5,758 (11,515 reports times \$0.50 for postage). This results in a total program adjustment of \$29,218 (\$23,460+\$5,758). NMFS is adding an estimated additional 996 annual expenditure forms. This results in a total program change of \$598 (996 reports times \$0.50 for postage plus 996 reports times \$0.10 for photocopying).

16. For collections whose results will be published, outline the plans for tabulation and publication.

The results from this collection are not planned for statistical publication but will be used as empirical input for analyses conducted for management and scientific purposes. Data would be released to the public only in summary or tabular form.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons why display would be inappropriate.

As regional logbooks (e.g., 0648-0016) are used as the HMS vessel logbook in order to reduce duplication for vessels involved in regional fisheries, the expiration date assigned to this collection (0648-0371 -- 3/31/2002) would not be displayed on logbooks already displaying another expiration date.

18. Explain each exception to the certification statement identified in Item 19 of the OMB 83-I.

No exceptions are requested. However, regional logbooks (e.g., 0648-0016) are used as the HMS vessel logbook in order to reduce duplication for vessels involved in regional fisheries. Therefore, the OMB control number assigned to this collection (0648-0371) would not be displayed on logbooks already displaying another valid control number.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

1. Describe (including a numerical estimate) the potential respondent universe and any sampling or other respondent selection method to be used. Data on the number of entities (e.g. establishments, State and local governmental units, households, or persons) in the universe and the corresponding sample are to be provided in tabular form. The tabulation must also include expected response rates for the collection as a whole. If the collection has been conducted before, provide the actual response rate achieved.

This collection of information will employ statistical methods to reduce the respondent burden and the data processing cost to the government. As indicated in the response to #12 in Section A, certain fisheries would be subject to a census while others would have a sample drawn at random. The selection rates apply both to the logbook in general (set forms and trip forms) and to the cost-earnings form (attached to trip summary forms).

As indicated in Response # 12 in Section A, all swordfish and shark and charter/headboat permit holders would be selected for logbooks while only 10 percent of tuna permit holders would be selected for logbooks. The larger population of tuna vessels (recreational and commercial combined) affords a representative sample at a 10 percent selection rate for each. In response to comments from fishermen, NMFS is proposing a 20 percent selection rate for the cost-earnings and annual expenditures forms in the commercial shark, commercial swordfish, and charter/headboat fisheries. This rate should provide NMFS with a representative sample of the fishery as a whole. The random selection process for tuna permit holders and for the cost-earnings forms would ensure that the selected respondents are stratified across all statistical areas based on information reported in logbooks the previous year.

Table 1 in section A indicates the affected universe. Out of almost 23,000 permit holders, under this program approximately 6,000 would be required to submit logbooks and almost 1,000 would be required to submit the cost-earnings and annual expenditure forms. Because this collection as a whole was not mandatory in the past, we are unable to provide estimates of compliance. However, with respect to the voluntary cost-earnings forms, compliance since 1997 has averaged approximately 11 percent for all trips (8,330 trips with 931 cost-earning forms submitted). Compliance with the catch reports or logbooks is very high compliance because they are linked to permit renewal. That is, permits cannot be renewed until logbooks are submitted for the year. Often logbooks are not submitted in a timely manner but are submitted prior to renewing the permit.

2. Describe the procedures for the collection, including: the statistical methodology for stratification and sample selection; the estimation procedure; the degree of accuracy needed for the purpose described in the justification; any unusual problems requiring specialized sampling procedures; and any use of periodic (less frequent than annual) data collection cycles to reduce burden.

The sample universes are the 2001 fleet for tuna, shark, swordfish, and charter/headboat permit holders, for which we have the entire population or universe of vessels from the HMS permit data file from which to choose.

The random sample for selection from the tuna fishery is stratified according to the following criteria: (1) state of homeport and (2) level of landings (high-liner vs. not active). The HMS logbook form contains sufficient information to determine whether or not a vessel harvested beyond or within the Exclusive Economic Zone, i.e. U.S. offshore or on the high seas. Sampling designs for other commercial fishery surveys suggests that overall vessel length provides a reliable indicator of whether a vessel is capable of fishing on the high seas. A vessel's homeport

state is recorded in the HMS permit database. The sample size for selection for tuna vessels is designed to achieve a 95 percent level of precision (significance). For any strata with less than three vessels, the vessel numbers in these strata is increased to three since NMFS' policy is not to disclose information for anything less than three vessels. The stratified random sample is determined using the Neyman Allocation Method with a finite population correction. This method is being used by Dale Squires (NMFS) in the following collection: "Economic Performance Data Surveys For West Coast Commercial Fisheries Programmatic Clearance (OMB Control Number 0648-0369) for the Cost and Earnings Survey of the Troll Albacore and Swordfish Fisheries."

The random sample for the shark, swordfish, and charter/headboat fleet would be stratified according to: (1) location of fishing in the previous year within designated statistical areas and (2) level of activity (landings versus no landings/held a permit or did not hold a permit). The HMS logbook form contains sufficient information to determine where a vessel was fishing and the level of activity in the previous year. Numerous analyses of logbook data have already designated the statistical areas. These same areas would be used in the random sample. Sample size for selection of these vessels would be designed to ensure adequate representation across the fleet and across all areas. For areas where few HMS vessels fish (e.g., Sargasso or Northeast Distant areas) areas would be combined to ensure a large enough sample so data can be disclosed. Sample fleet for selection of the cost-earnings data would then be averaged to produce information representative of the group. There are not expected to be any unusual problems requiring sampling procedures more specialized than those indicated above. NMFS will evaluate the first three years of the program to ensure that a 20 percent selection rate is appropriate to meet the needs of NMFS' legal mandates.

3. Describe the methods used to maximize response rates and to deal with nonresponse. The accuracy and reliability of the information collected must be shown to be adequate for the intended uses. For collections based on sampling, a special justification must be provided if they will not yield "reliable" data that can be generalized to the universe studied.

In order to maximize the response rate, brochures would be developed and circulated to educate fishermen in various sectors about reporting requirements. NMFS has also published compliance guides to remind fishermen of their obligations. Non-responders are typically contacted first by phone and then are notified by the NMFS Office of Law Enforcement of their delinquency and issued a written warning ("fix-it" notice). If there continues to be no response, citations could be issued. For the censused population, a small percentage of non-responders is not likely to decrease the reliability of the data given the number of vessels and trips. For the sampled population, however, the reliability of the data could suffer if delinquency rates prove to be high. In such a case, data between years could be combined to provide biennial estimates.

4. Describe any tests of procedures or methods to be undertaken. Tests are encouraged as effective means to refine collections, but if ten or more test respondents are involved OMB must give prior approval.

NMFS has implemented a voluntary cost-earnings program, as part of the pelagic logbook program. This approved collection proved a test of the report form and NMFS has since streamlined the report to reduce the burden on fishermen.

5. Provide the name and telephone number of individuals consulted on the statistical aspects of the design, and the name of the agency unit, contractor(s), grantee(s), or other person(s) who will actually collect and/or analyze the information for the agency.

NMFS, Office of Science and Technology(sampling design/analysis):

Dr. Rita Curtis 301-713-2328

NMFS, Southeast Fishery Science Center(data collection):

Dr. Gerry Scott 305-361-4220

List of Attachments

1. Reporting Forms and Instructions
2. Applicable Regulations at 50 CFR part 635
3. Applicable Law at 16 U.S.C. 1853
4. Federal Register Notice - December 2001

Attachment 1

Reporting Forms and Instructions

Previously-approved Trip Summary Form (to be used until new forms are printed and distributed)

Revised Trip Summary Form

Annual Expenditures Form

UNITED STATES DEPARTMENT OF COMMERCE
NATIONAL OCEANIC AND ATMOSPHERIC ADMIN.
NATIONAL MARINE FISHERIES SERVICE

2002
FISHING VESSEL LOGBOOK RECORD
ATLANTIC HIGHLY MIGRATORY SPECIES
FISHERIES SET FORM

YOU ARE ADVISED THAT DISCLOSURE OF THE INFORMATION REQUESTED IN THIS REPORT IS MANDATORY, IF SELECTED, FOR THE PURPOSE OF MANAGING THE FISHERIES IN ACCORDANCE WITH THE ATLANTIC TUNAS CONVENTION ACT (16 U.S. 971 ET. SEQ.) AND THE FISHERY CONSERVATION AND MANAGEMENT ACT OF 1976 (16 U.S.C. 1801 ET. SEQ.). FAILURE TO REPORT MAY RESULT IN CIVIL OR CRIMINAL SANCTIONS.

NAME OF VESSEL : _____

PERMIT NUMBER : _____

2002 FISHING VESSEL LOGBOOK RECORD ATLANTIC HIGHLY MIGRATORY SPECIES FISHERIES SET FORM INSTRUCTIONS

Please print all information clearly.

DESTROY OLD UNUSED FORMS. USE ONLY CURRENT YEAR FORMS.

Please use a separate log sheet for each set. If using a gear that is not fished in sets, use one sheet for each day of fishing.

Signature, each set form must be signed by the captain or a person responsible for maintaining the records for the vessel.

Record the **Official Vessel Number**.

Designate primary **Target** species.

Record **Gear Used**.

Record **Set Date** (calendar day when set began) and **Haulback Date**.

Enter Times when using longlines or gillnets for:

- **Begin Set** and **Begin Haulback** (designate **AM** or **PM**)
- **End Set** and **End Haulback** (designate **AM** or **PM**)

At the start of each set, record the location to the nearest degree and minutes of **LAT** (Latitude) and **LON** (Longitude), and the **Surface Water Temperature**, in degrees Fahrenheit.

Enter the following data for each set if using **Longline** gear:

- **Number of hooks set**
- **Number of hooks between floats**
- **Number of light sticks**
- **Length of Mainline** (in miles)
- **Length of Gangions** (in fathoms)
- **Length of Floatline** (in fathoms)
- **Did you use a line thrower?**
- **Were you tending or rebaiting hooks before haulback? If yes, specify how many hooks were rebaited.**
- **Bait: indicate Live, Dead or Artificial.**

Enter the following data for each set if using **Gillnet**:

- **Mesh Size** (in inches)
- **Total drift gillnet net length** (in fathoms)
- **Fishing Depth Range** (Depth of top and of Bottom of net in fathoms)

Record **NUMBERS OF SWORDFISH, TUNAS, SHARKS AND OTHER SPECIES KEPT AND THROWN BACK**. Specify the number of fish that were thrown back **Alive** and the number thrown back **Dead**. For the **Est. Lbs Kept.**, write down the estimated dressed weight in pounds of fish kept for each species. For catches of species not listed on the form, print the species name in the blank spaces and record the appropriate catch information.

Record **NUMBERS OF SEA TURTLES INVOLVED**

- **Total Number Involved**. Write down the total number of each sea turtle species that were caught in, or interacted with, your fishing gear for the period of your report.
- **Number Injured**. Write down the number of each sea turtle species that were injured while in, or by, your fishing gear.
- **Number Dead**. Write down the number of each sea turtle species that were observed to be dead while in, or by, your fishing gear.

Mail original logs to **NMFS** at the end of the fishing trip in pre-addressed envelopes along with the Trip Summary Form and weighout slip.

Mailing should be postmarked not later than the 7th day after the sale of the catch.

Monthly reporting for individuals holding a Swordfish and Shark permit will be considered complete and in compliance with the regulations only if 1) the trip summaries for each trip completed during the month, individual set records for each set made during the trip(s), and tally records for all fish sold are provided or 2) a no fishing report is provided.

PAPERWORK REDUCTION ACT STATEMENT: Atlantic highly migratory species vessel logbooks provide information on fishing effort, target catch and bycatch in the fisheries for tunas, sharks and swordfish. This information is the basis for quota monitoring and stock assessment and is used to meet international obligations to report fishery statistics to the International Commission for the Conservation of Atlantic Tunas. Public reporting burden for this information collection, including time for reviewing instructions, searching existing data sources, gathering and maintaining data needed, and completed & reviewing the collection of information, is estimated to average: 12 minutes per response for the set form (daily report); 30 minutes per response for the trip expense and earnings summary; 2 minutes per response for the no-fishing report; and 30 minutes per response for the annual expenditures form. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: Highly Migratory Species Management Division, National Marine Fisheries Service, F/SF1, 1315 East West Highway, Silver Spring, MD 20910. Providing the requested information in the vessel logbook is mandatory, if selected, and is necessary for managing the Atlantic highly migratory species fisheries in accordance with the Atlantic Tunas Convention Act (16 U.S.C. 971 et seq.) and the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.). In accordance with NOAA Administrative Order 216-100, it is agency policy not to release confidential fisheries statistics, other than in aggregate form. Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number. This is an approved information collection under OMB #0648-0371 and expires March 31, 2002.

2002 ATLANTIC HIGHLY MIGRATORY SPECIES LOGBOOK - Set Form

 OMB 0569-0271-01
 Version Date 05/02
 HMD Code 05-101

Use Black Ink Only!

Signature _____ 200205936 NMFS Use Only

Official Vessel Number: _____

TARGET: ☐ Swordfish ☐ Yellowfin ☐ Bigeye ☐ Mixed Tuna ☐ Sharks ☐ Dolphin ☐ Other (list) _____

GEAR: ☐ Pelagic Longline ☐ Bottom Longline ☐ Handline ☐ Harpoon ☐ Gillnet ☐ Bandit
☐ Rod & Reel ☐ Otter Trawl ☐ Squid Trawl ☐ Green Stick (tuna) ☐ Other (list) _____

Set Date: ____/____/2002 Haulback Date: ____/____/2002

Begin Set: ____:____:____ End Set: ____:____:____ Begin Haulback: ____:____:____ End Haulback: ____:____:____

Latitude at beginning: ____° ____' ____" North Longitude at beginning: ____° ____' ____" West Surface Water Temp: ____° F

LONGLINE: _____ GILLNET: _____

No. of Hooks: ____ Mainline Length (m): ____ Use Line Thrower ☐ Yes ☐ No
 No. of Hooks between Floats: ____ Gangion Length (m): ____ Were You Tending/Rebaiting hooks before haulback? ☐ Yes ☐ No If yes, then -
 No. of Light Sticks: ____ Floatline Length (m): ____ # of hooks rebaited: ____
 Mesh Size (m): ____ Total Net Length (m): ____
 Fishing Depth Range (m): ____ to ____
 Bait Used: ☐ Live ☐ Artificial

SWORDFISH and TUNA

SHARK

No. Kept	No. Thrown Back Alive	No. Thrown Back Dead	Est. Lbs. Kept	No. Kept	No. Thrown Back Alive	No. Thrown Back Dead	Est. Lbs. Kept
Swordfish				PELAGIC SHARK			
Bonito Tuna				Blue			
Bluefin Tuna				Mako, Longfin			
Skipjack Tuna				Mako, Shortfin			
Yellowfin Tuna				Oceanic Whitetip			
Blackfin Tuna				Porbeagle			
Albacore Tuna				Thresher, Bigeye			
Bigeye Tuna				Thresher, Common			

OTHER SPECIES

COASTAL SHARK

White Marlin	Bignose
Blue Marlin	Blacktip
Saltillo	Dusky
Spearfish	Hammerhead, Great
Escolar	Hammerhead, Small
Dolphin (Mahi)	Hammerhead, Smooth
Wahoo	Night
King Mackerel	Sandbar
Greater Amberjack	Silky
Banded Rudderfish	Spinner
	Tiger
	White

SEA TURTLES

	Involved	Injured	Dead		Involved	Injured	Dead
Leatherback				Kemp's Ridley			
Loggerhead				Hawksbill			
Green							

MAIL THIS COPY TO NMFS LOGBOOK PROGRAM, MIAMI FL

NMFS Use Only: Opened:	Schedule #
---------------------------	------------

NO FISHING REPORTING FORM

Vessel ID. NO. Vessel Name: _____

During the entire month of , year this vessel DID NOT FISH in the fisheries checked below:

- > more than one fishery may be checked
- > DO NOT check any fishery if your vessel does not have a permit for it
- > Use Black Ink

- ☐ Atlantic Highly Migratory Species (swordfish/tunas)
- ☐ South Atlantic Snapper-Grouper
- ☐ Gulf of Mexico Reef Fish
- ☐ Shark
- ☐ King Mackerel
- ☐ Spanish Mackerel

Signature _____ Phone _____

 MAIL THIS COPY TO NMFS LOGBOOK PROGRAM, MIAMI FL 

2002 ATLANTIC HIGHLY MIGRATORY SPECIES TRIP SUMMARY FORM

NMFS USE Only

Received Date

Schedule #

Vessel No: _____

Vessel Name: _____

Contact Phone Number (____) _____-_____

Contact Name (Please Print) _____

I certify the information contained on this form is accurate and complete to the best of my knowledge:
Captain Signature:_____

Captain Name (Please Print) _____

Port & State Departure: _____

Port & State of Landing: _____

Number of Crew Members (excluding captain)

Dealer Names: _____

Date of Departure / / 2002

Date of First Set / / 2002

Date of Last Set / / 2002

State Trip Ticket #: _____

Number of Sets

Number of Fishing Days

Date of Landing: / / 2002

First Day Offload: / / 2002

Federal Dealer Permit No. - -

TRIP EXPENSE & PAYMENT SUMMARY (Mandatory, if selected; otherwise voluntary)

UNIT COST

Fuel

Price per gallon

\$

•

Gallons used

Bait Usage: Pounds

AND/OR

Count

Trip bait cost \$

Light Sticks

Price per stick

\$

•

Light Sticks used

Ice

Unit:

Tons

Blocks

Pounds

Price per unit \$

•

Quantity

Grocery Expense

\$

•

Total Shared Costs (includes only those costs subtracted from gross revenues to calculate crew payments. See instructions.)

\$

•

Other Trip Costs (Other costs incurred on this trip excluding items listed elsewhere on this trip summary form. See instructions.)

•

Crew Share

Owner

 %

Captain

 %

Crew (average)

Broker/Selling Expense \$ **OR** Broker Percentage % By Weight

 Revenue

Captain License Number _____ State

TRIP EXPENSE & PAYMENT SUMMARY FOR CHARTER / HEADBOATS ONLY (Mandatory, if selected; otherwise voluntary)

Time of Departure: : Time of Return :

Number of Passengers

Total Fare Receipts

\$

•

Other Receipts: gear rentals, concession sales, etc.

\$

•

Total crew hours:

Total crew payments:

\$

•

Total costs for consumer goods, concession goods, etc.

\$

•

Commissions paid on bookings, other

\$

•

USE THIS COPY FOR SENDING IN THE TRIP EXPENSE REPORT. MAIL TO NATIONAL MARINE FISHERIES SERVICE, MIAMI, FL

Instructions for the Trip Summary form

NOTE: All data provided are CONFIDENTIAL and will be used to determine the effects of existing and proposed management policies on fishery participants. Consistent and accurate reporting is critical for achieving the benefits of conservation and management of Atlantic Highly Migratory Species fisheries. The trip expense and payment data are not mandatory unless your vessel has been selected and you have been notified in writing by NMFS that this information is required of you. Vessels not selected are encouraged to supply the information on a voluntary basis.

Please use a ballpoint pen and print clearly to record the following:

- Vessel No.: U.S. Coast Guard vessel identification number or state registration number as recorded on permit
- Vessel Name
- Contact Name and Telephone: Printed name and telephone number of the person completing the form
- Captain Signature and Name: signature of the person completing the form (normally, this should be the captain for the trip although the vessel owner may complete the second portion of the form)
- Port & State of Departure: location of port from which the trip commenced
- Port & State of Landing: location of port that vessel arrived in
- Number of Crew Members: number of persons paid as crew (excluding captain)
- Dealer Name(s): list of names of dealers purchasing the harvest
- Date of Departure: calendar date (mm/dd/2002) on which the trip was started
- Date of First Set: calendar date (mm/dd/2002) of first set made on trip
- Date of Last Set: calendar date (mm/dd/2002) of last set made on trip
- Trip ticket number – For States that require trip tickets, please include the ticket # from your sales receipt.
- Number of Sets Placed: number of times the fishing gear was set during the trip
- Number of Days Fished: number of days that the fishing gear was used
- Date of Landing: the date the vessel arrived back at port. This can be different from the offloading date.
- First Day Offload: calendar date (mm/dd/2002) that vessel began offloading fish
- Federal Dealer Permit Number(s)

Remove page, attach corresponding set forms and tally sheet, and mail within 7 days after last offloading date.

The following information is mandatory for selected vessels and voluntary for all other vessels. For selected vessels, the following information must be mailed within 30 days after last offloading date.

- Fuel: price per gallon paid for fuel used during trip. *(If you did not refuel for the trip, record price paid when fuel was last purchased.)*; indicate gallons actually **used** during the trip. *(Exclude fuel purchased but not used.)*
- Bait: record amount of bait **used** during trip by count or pounds and total cost of bait purchased
- Light sticks: price per light stick; number of light sticks **used** during trip *(If a light stick was re-used, only count it once.)*
- Ice: indicate unit size of ice purchased; price per unit; and the number of units purchased.
- Grocery expense
- Total Shared Costs: Record the sum of all costs incurred for this trip that are subtracted from gross revenues prior to calculating crew share payments, **including** *(estimated)* shared gear, repair and maintenance costs. If vessel does not use crew shares, record zero.
- Other Trip Costs: other costs incurred for this trip **excluding** items listed elsewhere on this trip summary form. For example, include docking/offloading fees (if separate from broker fee), crew travel/lodging, fishing supplies.

Crew Shares: If you did not use crew share system on a trip, then calculate payments as percentage of *(estimated)* gross revenues.

- Owner Crew Share: Percentage of net revenue (gross revenue less total shared costs) paid to owner.
- Captain Share: Percentage of net revenue paid to captain.
- Crew Share: Average share (percentage of net revenue) paid to crew, excluding captain.
- Broker/Dealer Selling Expense or Broker/Dealer Percentage: Report either the *(estimated)* broker/dealer fee or the percentage of gross revenue charged by the broker. *(If catch is sold to multiple brokers/dealers, please report for broker/dealer handling majority of catch or report the average charged across brokers/dealers.)*
- Captain License Number: Record license number and issuing state.

Charter/Headboats Only

- Total number of passengers.
- Total fare receipts: Report total amount paid by passengers to take trip
- Other receipts: Include receipts from gear rentals; concession sales, e.g. souvenirs, food, beverage, etc.
- Total labor hours: Record total hours worked by captain, crew and other employees for this trip.
- Total labor payments: Total wages, salary, or bonuses paid to captain crew and other employees for this trip.
- Commissions paid on bookings, other: Record total commissions paid for bookings, other.
- Costs for consumer goods: Total cost of concession goods purchased on trip, including the cost of food and beverages consumed on trip and amount paid for t-shirts, hats and other souvenirs that were purchased on trip.

PAPERWORK REDUCTION ACT STATEMENT: Collection of economic information through vessel logbooks provides current data on the costs and earnings for vessels participating in the Atlantic highly migratory species fisheries and aids NMFS in the assessment of impacts of fishery regulations. Public reporting burden for the trip expense and payment summary and the annual expenditure form is estimated to average 30 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining data needed, and completed & reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: National Marine Fisheries Service, F/SF1, 1315 East West Highway, Silver Spring MD 20910. Providing the requested information in the trip summary is mandatory for managing the Atlantic highly migratory species fisheries in accordance with the Atlantic Tunas Convention Act (16 U.S.C. 971 et seq.) and the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.). In accordance with NOAA Administrative Order 216-100, it is agency policy not to release confidential information, other than in aggregate form. Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number. This is an approved information collection under OMB #0648-0371 that expires xxx, 200x.

2002 Atlantic Highly Migratory Species ANNUAL EXPENDITURES Form

Boat Registration or Vessel Documentation Number:

--	--	--	--	--	--	--	--	--	--

ANNUAL FISHING EXPENDITURES										
Repair & Maintenance Expenses (include gear, engine, electronics, etc.)	\$	<table border="1"><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>								
Fishing Supplies	\$	<table border="1"><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>								
Drydock / Haulout Expense	\$	<table border="1"><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>								
Purchases of Capital (including engine, electronics, hydraulic reel, etc.)	\$	<table border="1"><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>								
Insurance: Hull	\$	<table border="1"><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>								
P&I	\$	<table border="1"><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>								
Boat Dockage/Rent and Utility Expenses	\$	<table border="1"><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>								
Commercial Fishing Licenses & Permits	\$	<table border="1"><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>								
Vessel Boat Loan Payments	\$	<table border="1"><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>								
Relocation Expenses	\$	<table border="1"><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>								
OTHER BUSINESS EXPENSES PAID BY VESSEL										
Business taxes paid by vessel (include property and income taxes)	\$	<table border="1"><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>								
Office Expenses (rent, accounting, legal, phone, etc.)	\$	<table border="1"><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>								
Other annual or one-time-only expenditures paid by vessel (include business travel expenses, health insurance, vehicle loan/lease payments, etc.)	\$	<table border="1"><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>								

I certify that the information contained on this form is accurate and complete to the best of my knowledge:

Signature of person completing report _____

Printed name of person signing report _____ Phone Number (____) _____

PAPERWORK REDUCTION ACT STATEMENT: Collection of economic information through vessel logbooks provides current data on the costs and earnings for vessels participating in the Atlantic highly migratory species fisheries and aids NMFS in the assessment of impacts of fishery regulations. Public reporting burden for the trip expense and payment annual summary is estimated to average 30 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining data needed, and completed & reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: National Marine Fisheries Service, F/SF1, 1315 East West Highway, Silver Spring MD 20910. Providing the requested information in the trip summary is mandatory for managing the Atlantic tuna fisheries in accordance with the Atlantic Tunas Convention Act (16 U.S.C. 971 et seq.) and the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.). In accordance with NOAA Administrative Order 216-100, it is agency policy not to release confidential information, other than in aggregate form. Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number. This is an approved information collection under OMB #0648-0371 and expires March 31, 2002.

Instructions for completing the

2002 Atlantic Highly Migratory Species ANNUAL EXPENDITURES Form

NOTE: All data provided are **CONFIDENTIAL** and will be used to determine the effects of existing and proposed management policies on fishery participants. Consistent and accurate reporting is critical for achieving the benefits of conservation and management of Atlantic Highly Migratory Species fisheries. The trip expense and payment data are not mandatory unless your vessel has been selected and you have been notified in writing by NMFS that this information is required of you. Vessels not selected are encouraged to supply the information on a voluntary basis. If your vessel has been selected, this form must be completed and submitted to NMFS by February 1 of the following year.

Annual Fishing Expenditures

Repair/Maintenance: Record all repair and maintenance expenses paid in 2002. This includes gear repairs or maintenance (e.g., replacement of longline hauler), engine repairs, and electronic repairs but excludes dry dock expenses and trip specific gear maintenance expenses recorded on trip summary forms.

Fishing supplies (hooks, line, gloves, buoys, etc.) purchased for use on more than one fishing trip. Exclude expenses for trip specific fishing supplies recorded on trip summary forms.

Drydock expense: Record all dry dock expenses paid in 2002.

Purchases of Durable Equipment: Record total purchases of equipment (electronics, ice makers, engines, longline reel, etc.) excluding trip specific gear expenses recorded on trip summary forms.

Insurance premiums: Record hull and P&I insurance-related expenditures paid in 2002.

Commercial Fishing Licenses & Permits: Record total cost of all local/state/federal licenses and permits purchased for 2002 operations.

Vessel Boat Loan Payments: Total annual boat loan payments.

Relocation Expenses: Record expenses incurred moving vessel to new ports of operation throughout the year including fuel expenditures, housing costs, moving expenses, etc. Do not include costs already reported on the trip summary form if the relocation occurred as part of a fishing trip.

Other Business Expenses Paid by Vessel

Business Taxes: Record total local/state/federal taxes paid by vessel in 2002, including income, property, etc.

Office Expenses: Record total office expenses paid by vessel in 2002, including (share of) office rent, accounting and legal expenses, telephone, utilities, etc.

Other annual or one-time-only expenditures paid by vessel: Include business travel expenses, health insurance, vehicle loan/lease payments, etc.)

shark LAP will not entitle an owner or operator to use the permitted vessel to fish in the Atlantic tunas fishery with pelagic longline gear.

(m) *Renewal*—(1) *General*. Persons must apply annually for a vessel or dealer permit for Atlantic tunas, sharks, and swordfish, and HMS Charter/Headboats. Persons must apply annually for an Atlantic tunas or HMS Charter/headboat vessel permit. A renewal application must be submitted to NMFS, at an address designated by NMFS, at least 30 days before a permit's expiration to avoid a lapse of permitted status. NMFS will renew a permit provided that the specific requirements for the requested permit are met, including those described in § 635.4 (1)(2), all reports required under the Magnuson-Stevens Act and ATCA have been submitted, including those described in § 635.5, and the applicant is not subject to a permit sanction or denial under paragraph (a)(6) of this section.

(2) *Shark, swordfish, and tuna longline LAPs*. As of June 1, 2000, the owner of a vessel of the United States that fishes for, possesses, lands or sells shark or swordfish from the management unit, or takes or possesses such shark or swordfish as incidental catch or that fishes for Atlantic tunas with longline gear must have the applicable limited access permit(s) issued pursuant to the requirements in § 635.4, paragraphs (e) and (f). However, any ILAP that expires on June 30, 2000, is valid through that date. Only valid limited access permit holders in the preceding year are eligible for renewal of a limited access permit(s). Limited access permits that have been transferred according to the procedures of paragraph (1) of this section are not eligible for renewal by the transferor.

[64 FR 29135, May 28, 1999, as amended at 64 FR 37703, July 13, 1999; 65 FR 47238, Aug. 1, 2000; 66 FR 30652, June 7, 2001]

EFFECTIVE DATE NOTE: At 64 FR 29137, May 28, 1999, § 635.4 was added. Paragraph (b) has information collection requirements and will not become effective until Office of Management and Budget approval.

§ 635.5 Recordkeeping and reporting.

Information on HMS vessel and dealer reporting requirements may be ob-

tained from the Division Chief or where otherwise stated in this part.

(a) *Vessels*—(1) *Logbooks*. If an owner of an HMS Charter/Headboat vessel, an Atlantic Tunas vessel, or a commercial shark or swordfish vessel, for which a permit has been issued under § 635.4(b), (d), (e), or (f), is selected for logbook reporting in writing by NMFS, he or she must maintain and submit a fishing record on a logbook specified by NMFS. Entries are required regarding the vessel's fishing effort and the number of fish landed and discarded. Entries on a day's fishing activities must be entered on the form within 48 hours of completing that day's activities and, for a 1-day trip, before offloading. The owner or operator of the vessel must submit the logbook form(s) postmarked within 7 days of offloading all Atlantic HMS.

(2) *Weighout slips*. If an owner of a permitted vessel is required to maintain and submit logbooks under paragraph (a)(1) of this section, and Atlantic HMS harvested on a trip are sold, the owner or operator must obtain and submit copies of weighout slips for those fish. Each weighout slip must show the dealer to whom the fish were transferred, the date they were transferred, and the carcass weight of each fish for which individual weights are normally recorded. For fish that are not individually weighed, a weighout slip must record total weights by species and market category. A weighout slip for sharks prior to or as part of a commercial transaction involving shark carcasses or fins must record the weights of carcasses and any detached fins. The owner or operator must also submit copies of weighout slips with the logbook forms required to be submitted under paragraph (a)(1) of this section.

(3) *BFT not sold*. If a person who catches and lands a large medium or giant BFT from a vessel issued a permit in any of the commercial categories for Atlantic tunas does not sell or otherwise transfer the BFT to a dealer who has a dealer permit for Atlantic tunas, the person must contact a NMFS enforcement agent, at a number designated by NMFS, immediately

(B) minimize the mortality of bycatch which cannot be avoided;

(12) assess the type and amount of fish caught and released alive during recreational fishing under catch and release fishery management programs and the mortality of such fish, and include conservation and management measures that, to the extent practicable, minimize mortality and ensure the extended survival of such fish;

(13) include a description of the commercial, recreational, and charter fishing sectors which participate in the fishery and, to the extent practicable, quantify trends in landings of the managed fishery resource by the commercial, recreational, and charter fishing sectors; and

(14) to the extent that rebuilding plans or other conservation and management measures which reduce the overall harvest in a fishery are necessary, allocate any harvest restrictions or recovery benefits fairly and equitably among the commercial, recreational, and charter fishing sectors in the fishery.

97-453, 99-659, 101-627, 102-251, 104-297

(b) DISCRETIONARY PROVISIONS.--Any fishery management plan which is prepared by any Council, or by the Secretary, with respect to any fishery, may--

(1) require a permit to be obtained from, and fees to be paid to, the Secretary, with respect to--

(A) any fishing vessel of the United States fishing, or wishing to fish, in the exclusive economic zone [or special areas,]* or for anadromous species or Continental Shelf fishery resources beyond such zone [or areas]*;

(B) the operator of any such vessel; or

(C) any United States fish processor who first receives fish that are subject to the plan;

(2) designate zones where, and periods when, fishing shall be limited, or shall not be permitted, or shall be permitted only by specified types of fishing vessels or with specified types and quantities of fishing gear;

(3) establish specified limitations which are necessary and appropriate for the conservation and management of the fishery on the--

(A) catch of fish (based on area, species, size, number, weight, sex, bycatch, total biomass, or other factors);

(B) sale of fish caught during commercial, recreational, or charter fishing, consistent with any applicable Federal and State safety and quality requirements; and

(C) transshipment or transportation of fish or fish products under permits issued pursuant to section 204;

(4) prohibit, limit, condition, or require the use of specified types and quantities of fishing gear, fishing vessels, or equipment for such vessels, including devices which may be required to facilitate enforcement of the provisions of this Act;

(5) incorporate (consistent with the national standards, the other provisions of this Act, and any other applicable law) the relevant fishery conservation and management measures of the coastal States nearest to the fishery;

(6) establish a limited access system for the fishery in order to achieve optimum yield if, in developing such system, the Council and the Secretary take into account--

(A) present participation in the fishery,

(B) historical fishing practices in, and dependence on, the fishery,

(C) the economics of the fishery,

(D) the capability of fishing vessels used in the fishery to engage in other fisheries,

(E) the cultural and social framework relevant to the fishery and any affected fishing communities, and

(F) any other relevant considerations;

(7) require fish processors who first receive fish that are subject to the plan to submit data (other than economic data) which are necessary for the conservation and management of the fishery;

(8) require that one or more observers be carried on board a vessel of the United States engaged in fishing for species that are subject to the plan, for the purpose of collecting data necessary for the conservation and management of the fishery; except that such a vessel shall not be required to carry an observer on board if the facilities of the vessel for the quartering of an observer, or for carrying out observer functions, are so inadequate or unsafe that the health or safety of the observer or the safe operation of the vessel would be jeopardized;

(9) assess and specify the effect which the conservation and management measures of the plan will have on the stocks of naturally spawning anadromous fish in the region;

(10) include, consistent with the other provisions of this Act, conservation and management measures that provide harvest incentives for participants within each gear group to employ fishing practices that result in lower levels of bycatch or in lower levels of the mortality of bycatch;

(11) reserve a portion of the allowable biological catch of the fishery for use in scientific research; and

(12) prescribe such other measures, requirements, or conditions and restrictions as are determined to be necessary and appropriate for the conservation and management of the fishery.

97-453, 104-297

Act of 1996 and the Computer Security Act of 1987, the Secretary of Commerce is authorized to approve standards and guidelines for the cost effective security and privacy of sensitive information processed by federal computer systems.

Executive Order 12866: This notice has been determined not to be significant for the purposes of E. O. 12866.

Dated: November 28, 2001.

Karen H. Brown,

Acting Director, National Institute of Standards and Technology.

[FR Doc. 01-30232 Filed 12-5-01; 8:45 am]

BILLING CODE 3510-CN-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 120301A]

Proposed Information Collection; Comment Request; Economic Data Collection for the Atlantic Wreckfish Fishery

AGENCY: National Oceanic and Atmospheric Administration (NOAA).
ACTION: Notice.

SUMMARY: The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Pub. L. 104-13 (44 U.S.C. 3506 (c)(2)(A)).

DATES: Written comments must be submitted on or before February 4, 2002.

ADDRESSES: Direct all written comments to Madeleine Clayton, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6086, 14th and Constitution Avenue NW, Washington DC 20230 (or via Internet at MClayton@doc.gov).

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument(s) and instructions should be directed to Jim Waters, Department of Commerce, NOAA, National Marine Fisheries Service, 101 Pivers Island Road, Beaufort, NC 28516-9722, (252-7288710).

SUPPLEMENTARY INFORMATION:

I. Abstract

The National Marine Fisheries Service (NMFS) proposes to collect to conduct a one-time census to collect economic, sociocultural, and demographic data

about commercial fishing for wreckfish (*Polyprion americanus*) along the U.S. south Atlantic coast. The wreckfish fishery has been managed with individual transferable quotas (ITQs) since 1992. Few shareholders currently fish for wreckfish, yet they have not sold or leased their shares. This project will address why shareholders chose not to participate in the wreckfish fishery, where and for what species they did fish, and why they did not sell or lease their unused quota to generate revenue even though they did not fish for wreckfish. Equally important is to determine if the process of developing an ITQ system contributed to the rapid increase in fishing effort in the early 1990s. The results of this inquiry could offer important lessons for economists, fishery managers and others researching the appropriateness of applying ITQ systems in other fisheries in the southeast.

II. Method of Collection

Data will be collected through personal interviews with approximately 50 past and current shareholders in the ITQ management system for the wreckfish fishery. Interviews will include open-ended questions so that respondents can put into their own words their thoughts, interpretations and experiences with the fishery and the ITQ management program. All interviews will be tape-recorded and transcribed. Results of the study will be made available both through publications and on a National Marine Fisheries Community Impacts web page. Participation in the study will be voluntary.

III. Data

OMB Number: None.

Form Number: None.

Type of Review: Regular submission.

Affected Public: Business or other for-profit organizations.

Estimated Number of Respondents: 50.

Estimated Time Per Response: 2 hours.

Estimated Total Annual Burden Hours: 100.

Estimated Total Annual Cost to Public: \$0.

IV. Request for Comments

Comments are invited on: (a) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c)

ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: November 29, 2001.

Madeleine Clayton,

Departmental Paperwork Clearance Officer, Office of the Chief Information Officer.

[FR Doc. 01-30291 Filed 12-5-01; 8:45 am]

BILLING CODE 3510-22-S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 120301C]

Proposed Information Collection; Comment Request; Highly Migratory Species Logbooks

AGENCY: National Oceanic and Atmospheric Administration (NOAA).
ACTION: Notice.

SUMMARY: The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Pub. L. 104-13 (44 U.S.C. 3506 (c)(2)(A)).

DATES: Written comments must be submitted on or before February 4, 2002.

ADDRESSES: Direct all written comments to Madeleine Clayton, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6086, 14th and Constitution Avenue NW, Washington DC 20230 (or via Internet at MClayton@doc.gov).

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument(s) and instructions should be directed to Jill Stevenson at the National Marine Fisheries Service (NMFS) Highly Migratory Species Division, 1315 East-West Highway, Silver Spring, MD 20910, or by email at jill.stevenson@noaa.gov phone at 301-713-2347.

SUPPLEMENTARY INFORMATION:

I. Abstract

Under the provisions of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 *et seq.*), NOAA is responsible for management of the Nation's marine fisheries. In addition, NOAA must comply with the United States' obligations under the Atlantic Tunas Convention Act of 1975 (16 U.S.C. 971 *et seq.*). NMFS collects information via vessel logbooks to monitor the U.S. catch of Atlantic swordfish, sharks, and bluefin tuna in relation to the quotas, thereby ensuring that the United States complies with its international obligations. The information supplied through vessel logbooks also provides the catch and effort data necessary to assess the status of highly migratory species and to evaluate bycatch in each fishery. Stock assessments are conducted and presented to the International Commission for the Conservation of Atlantic Tunas (ICCAT) periodically and provide, in part, the basis for ICCAT management recommendations which become binding on member nations. Supplementary information on fishing costs and earnings has been collected via this vessel logbook program on a voluntary basis. This economic information enables NMFS to assess the economic impacts of regulatory programs on small businesses and fishing communities. Given the need for more representative data and more complete analyses, NMFS proposes to make the cost/earnings summary a mandatory requirement of this program.

II. Method of Collection

Vessel owners who are issued a vessel permit in the swordfish or shark fisheries are required to complete vessel logbooks for all trips targeting Atlantic highly migratory species (HMS). In addition, selected tuna vessels (10 percent of permitted fleet) will be required to complete logbooks. Under this revised collection, the cost/earnings summary of the logbook would be required for selected vessels for all trips targeting HMS.

III. Data

OMB Number: 0648-0371.

Form Number: NOAA Form 88-191.

Type of Review: Regular submission.

Affected Public: Business or other for-profit organizations (fishing vessel owners).

Estimated Number of Respondents: 5,840.

Estimated Time Per Response: 10 minutes for cost/earnings summaries attached to logbook reports, 12 minutes

for logbook catch reports, 2 minutes for negative logbook catch reports.

Estimated Total Annual Burden Hours: 25,383.

Estimated Total Annual Cost to Public: \$0 (no capital expenditures required).

IV. Request for Comments

Comments are invited on: (a) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: November 29, 2001.

Madeleine Clayton,

*Departmental Paperwork Clearance Officer,
Office of the Chief Information Officer.*

[FR Doc. 01-30292 Filed 12-5-01; 8:45 am]

BILLING CODE 3510-22-S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 120301D]

Proposed Information Collection; Comment Request; Vessel-Marking Requirements in Antarctic Waters

AGENCY: National Oceanic and Atmospheric Administration (NOAA).

ACTION: Notice.

SUMMARY: The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Pub. L. 104-13 (44 U.S.C. 3506 (c)(2)(A)).

DATES: Written comments must be submitted on or before February 4, 2002.

ADDRESSES: Direct all written comments to Madeleine Clayton, Departmental

Paperwork Clearance Officer, Department of Commerce, Room 6086, 14th and Constitution Avenue NW, Washington DC 20230 (or via Internet at MClayton@doc.gov).

FOR FURTHER INFORMATION CONTACT:

Requests for additional information or copies of the information collection instrument(s) and instructions should be directed to Robin Tuttle, F/ST3, Room 12643, SSMC-3, 1315 East-West Highway, Silver Spring, MD 20910-3282 (phone 301-713-2282, ext. 199).

SUPPLEMENTARY INFORMATION:

I. Abstract

U.S. vessels participating in Antarctic fisheries must display the vessel's official identification number or international radio call sign in three locations on the vessel. The requirement aids in the enforcement of fishery regulations.

II. Method of Collection

The information is displayed in three locations on the vessel.

III. Data

OMB Number: 0648-0368.

Form Number: None.

Type of Review: Regular submission.

Affected Public: Business or other for-profit organizations, individuals.

Estimated Number of Respondents: 3.

Estimated Time Per Response: 45 minutes.

Estimated Total Annual Burden Hours: 2.

Estimated Total Annual Cost to Public: \$90.

IV. Request for Comments

Comments are invited on: (a) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.